

Alabama

Crime-1935

Three Death, Five Life In Montgomery Circuit Court

TSU 1000
**White Man Draws Chair;
Negro Gets Same For
Slaying In-Law**

Juries in Circuit Court here this week gave three men the death penalty and sent five others to the penitentiary for life. County officials said that this record for punishment had not been equalled here in many years, at least not since the World War. It was the first time a white man had received the extreme penalty in Montgomery County in 10 years. After deliberating half the night and yesterday morning, a jury came in at noon with a verdict of death for Dick Hull, indicted on a statutory charge.

Another death sentence was read out in the courtroom Friday, the jury decreeing that Jimmie Stewart, Washington Park negro, must pay with his life for killing his mother-in-law last August. Earlier in the week William E. Bynum, negro convict at Kilby Prison, was sentenced to be electrocuted for slaying another prisoner.

The lifers include one white man and four negroes. James Andrews got life for robbing George Bibb Edmondson, young man of this city, about six weeks ago. Negroes sent up for life were William Burton, Joseph Stephens, John Fitzpatrick and Robert Wain, all indicted for robbery.

These and several other defendants were tried since Tuesday morning with Judge Eugene W. Carter presiding in all but one or two cases. The judge will formally sentence the prisoners this morning and set the date of execution for Hull, Bynum, and Stewart. Appeals will probably be taken in some of the cases.

It was reported yesterday at the courthouse that Hull, who came to Montgomery from Birmingham, will carry his fight to the higher courts.

In some of the robbery cases where life imprisonment was the punishment pronounced by the juries, Solicitor W. T. Seibels appealed fervently during his arguments for the death penalty. A term in the penitentiary for robbers and killers is a joke, the solicitor declared. He said three meals a day, a hot bath, a comfortable bed, baseball games, picture shows and other comforts and pleasures provided at Alabama's modern Kilby Prison are more than many of the prisoners get on the outside.

**Prison Inspector
Montgomery
For Government
Scores Jail Here**

Montgomery Advertiser
**Federal Convicts May Be
Transferred To Maxwell
Field In Near Future**

10-31-35
Renovation Asked

**Paterson Admits Need Of
New Building But Says
County Cannot Afford It**

In one of his speeches to a jury, the solicitor paid his respects to what he termed the "silly sob sisters" who don't believe in capital punishment. "That's a lot of bunk," Solicitor Seibels said.

The jury in whose hands rested the fate of Dick Hull refused to be put to bed Thursday night until it had attempted for several hours to reach a verdict. The first ballot is reported to have been unanimous for conviction and on the second ballot 10 voted for death and two for life imprisonment. There

was no change in the results of the balloting the rest of the night session. Resuming its deliberation yesterday morning, the jury still stood 10 to 2. Finally, its equipment being such to make difficult compliance with sanitary and safety regulations.

Some of the changes desired by the Government, all of which have previously been recommended by the State Prison Inspector, according to Sheriff Haygood Paterson are as follows:

Changes Proposed

1. Installation of new sanitary fixtures.
2. Installation of shower baths in lieu of present tubs.
3. Repainting inside with paint of light gray color.

"We realize that a new jail is needed," Sheriff Paterson said, "but the county can't afford to buy a new jail."

The recommendations which the Sheriff said the inspector had submitted to him yesterday had been taken up with the Board of Revenue some time ago, and an architect had drawn plans for improvement of the jail and facilities. However, the Sheriff said, the county's financial condition did not warrant such improvements.

The inspection was made after the Montgomery Board of Revenue, in compliance with terms of the Legislative act of 1932 had submitted to the government terms under which the county would continue to board Federal prisoners, according to Sheriff Paterson.

The terms require of the Government payment of 50 cents a day per prisoner for feeding prisoners, an additional 20 cents a day per prisoner for use of the jail, and the usual turnkey fee of \$1 upon entrance into the jail and \$1 upon the prisoner's release from the jail.

This is an increase in the amount formerly charged the Government, the Sheriff said. However the receipts from this source are negligible for the county, the Sheriff said, since most jail sentences of the U. S. District Court are now made for the Federal prison at Maxwell Field. The principal income from the Government now is for prisoners unable to make bond and awaiting trial.

Buttermilk And Bread

The cost of food for prisoners, the Sheriff said, is now 20 cents a day but this does not take into consideration the cost of preparation and other services. Prisoners receive three meals a day, the Sheriff said, two hearty meals—with buttermilk and bread for supper constituting the third meal.

The need for a new jail in Montgomery yesterday was emphasized by J. A. Key, Federal prison and jail inspector. "Prisoners who don't have anything to eat but sit and think don't require as much food as persons on the outside," following an inspection of the Montgomery jail, the Sheriff said.

Whether the Government will meet the terms of the Board of Revenue's proposed contract, or whether all Government prisoners will be sent to Maxwell Field instead of the Montgomery jail in port on the Montgomery jail would be the future depends upon the recommendations to the prison inspection bureau andations the Federal Prison Inspection that such reports were confidential. Bureau finally submits to the courts.

Carter Sentences 12 To Penitentiary

Sixty prisoners have received sentences so far during the Fall term of the criminal docket in Circuit Court of Montgomery. It was announced Saturday by John R. Matthews, clerk. Judge Eugene W. Carter passed sentences yesterday on 12 prisoners.

Of the 60 sentenced, 45 received penitentiary and 15 hard labor sentences. Fully one-half the total number pleaded guilty, while the others were convicted by juries.

Leonard Posey, negro, found guilty of grand larceny and receiving stolen property, did not leave with the other prisoners for Kilby Prison following the sentences, but remained behind in hope of getting a new trial. His attorney, Thomas E. Martin, filed motion for a new trial and Judge Carter set it down for hearing on Dec. 9. Sentence in the case was deferred until after the hearing.

Those who received sentences follow:

Gene Still, grand larceny, four to five years; Emanuel Taylor, grand larceny, four to five years; John H. Tisdale, grand larceny, three to four years; Joe Thomas, petit larceny, six months and 42 days hard labor; Loveless Smith, forgery, 24 to 30 months; Reuben Willis, burglary and grand larceny, two to three years;

Smile Love, burglary and grand larceny, three to four years; James Nichols, burglary and grand larceny, two to three years; Lilly Mae Wright, grand larceny, jail, and the usual turnkey fee of \$1 three to four years; Willie Thomas, petit larceny, six months and 33 days hard labor, and three to four years in the penitentiary for grand larceny; Tom Toliver, removing mortgaged property, two to three years.

Crime - 1035

Alabama.

NEGRO IS HELD FOR RESISTING ARREST

NEGOES RELIEF RUSE LANDS THEM IN JAIL WHOM POLICE FLOGGED

Pair Are Accused Of Tampering With Mails

Burglary Suspect

Liquor Chase Ended After Suspect Is Wounded

A Negro, charged by police with tampering with the liquor chase, was arrested by three city officers, one of whom admitted

resisting arrest and trying to wreck mails. The Negro was held under bond of \$15,000 today by U. S. Commissioner Louise O. Charlton

several months ago. The Negro had been taken to the City Hall basement and whipped to

representing themselves as two other Negroes force him to reveal where merchandise taken from the store

had been hidden. The other pair's mail at the Pow

Hospital. The Negro, who gave his name as Gus Turner, 22, of 2927 Highland, certificates sent out by the welfare

av., also is charged with violating liquor laws. Officers P. E. Jenkins

and J. L. Powell said they sighted

the Negro's car at Graymont-av

and First-st, w, and gave chase

when they suspected it contained

liquor.

Turner, they said, refused to stop and tried to force their car to the curb. After a chase of several blocks, Officer Jenkins fired twice,

puncturing a rear tire and hitting the hood of the fleeing auto.

The Negro then stopped his car, jumped out and ran under a house where he was caught by Officer Jenkins. A companion

the first actions the workers have forced the city officials to take against the terroristic activities of the police in the North Birmingham area.

NEGRO SOUGHT FOR WOUNDING OFFICER

Policeman Is Shot On Raid For Red Literature

Police today sought Steve Simmons, suspected Negro Communist, for investigation in the shooting last night of Police Officer T. E. Lindsay.

Officer Lindsay was wounded in the right arm by six shotgun pellets. His condition is not serious.

Officers Lindsay and A. J. Bryant went to Simmons' home in Riggins Quarters, beyond North Birmingham, to search for Communist literature. They found the front gate locked and nailed. Officer Lindsay went to the rear gate and called for admittance. A shotgun volley answered him, striking him in the right arm and side.

Detectives H. C. Propst and O. F. Osborne were assigned to the case.

9-Juror Verdicts Urged For State

Committee Graves Named To Study Legal Reform Hands In Its Findings

Rendering of a verdict by nine men

codified.

Twenty-five recommendations were made in all, including proposals that a new State code be compiled and means to pay for a transcript.

Too Many Judges

"Alabama has an abundance, if not a superfluous number of trial judges," the report continues, "the courts are in term all the year, except a few days in June and December, and needless delays are due to those charged with enforcement of the law rather than to defects in the law. As long as the jury system prevails an upright and fearless jury, in the end, is the most important factor in the enforcement of the law. The appointing power cannot be too careful in selecting the jury commission for the respective counties, and said commission should exercise a wise discretion in selecting the names of qualified citizens to go in the jury box."

Of all laws, State or municipal, it is stated, the highway laws and regulations are constantly, daily and hourly ignored, and the toll resulting from neglect and recklessness in handling motor vehicles "is greater than war, pestilence and famine." It is then recommended that the legislature strengthen Alabama's highway laws and make them more drastic; and trial courts and municipalities are urged to enforce rigidly the law in every case of violation "so as to teach the public that these laws exist and not wait to arrest these law-breakers until someone has been killed or injured."

The special committee, headed by Chief Justice John C. Anderson, of the Alabama Supreme Court, as chairman, is composed in addition of Presiding Judge Charles R. Bricken, of the court of Appeals of Alabama, vice-chairman; Attorney General-elect A. A. Carmichael, secretary; Judge Ben F. Elmore, Demopolis; Judge J. Russell McElroy, Birmingham; Travis Williams, Russellville; John D. Denson, Opelika; Richard T. Rives, Montgomery, and A. R. Powell, of Andalusia.

Recommendations

Following is the complete list of recommendations made by the committee to the governor-elect for his information and use, so that he may include any or all of them he may see fit, in his forthcoming message to the legislature:

1. That in all causes tried before juries nine men bring in the verdict instead of twelve except where the death penalty is imposed.
2. That proper facilities be provided for the scientific examination of poisons, blood-stains and other materials whenever such examination is relevant to the issue in any criminal case.
3. That Section 6435 of the Code of Alabama, 1923, (relating to "Refusal to sign bill; establishment of an appellate court") be repealed.
4. That the Supreme Court of Alabama be given the authority to prescribe rules of practice and procedure corresponding to that given the United States Supreme Court by subsections a, b, and c of Section 723, Title 28 of the United States Code Annotated.

5. That a new code for the State

of Alabama be compiled and codified. interrogatories in both civil and equity cases be limited to 30 days. 6. That after a plea of guilty has been entered, a defendant shall not be entitled to an appeal, unless the punishment exceeds that prescribed by law. We recommend that in all criminal cases, the State and the defendant have an equal number of challenges.

7. That any defendant, whether indicted or not, may be allowed to plead the allowance of an appeal from an innocent before a court, and to commence a trial by jury or a disposition of his case at a term of court.

22. The committee recommends that his sentence without awaiting a trial ruling a demurrer to a bill or cross bill by jury or a disposition of his case at a term of court.

8. That circuit solicitors in Alabama be paid adequate compensation and be reads: "When two or more defendants not allowed to practice law other than are jointly indicted, they may be tried, the discharge of their official duties. either jointly or separately as either may elect;" the above section should be

9. That the statutes of the Code of Alabama relating to taking depositions of witnesses be rewritten to the end that uncertainties and ambiguities may be eliminated.

10. Upon motion being made to the elect;" the above section should be amended so as to read as follows: "When two or more defendants are jointly indicted, they may be tried, at the discretion of the court, either jointly or severally."

10. Upon motion being made to the reasonable satisfaction of the trial judge that a person who has appealed from a conviction of a felon is without, and cannot obtain the means to pay for, a stenographic transcript of the testimony, the trial judge shall order the court reporter to furnish such transcript without charge.

24. That the State shall have the right to amend an indictment any time before verdict, on account of a misnomer, without the consent of the defendants.

25. We recommend that the Acts of 1932, Special Session, page 89, as to secrecy of jurors, be enacted as far as practical as applicable to the entire

11. That the time of taking appeal generally in Alabama be reduced to ninety days.

12. That Section 3241 of the Code Public opinion in Alabama is strongly in favor of reforming the state's penal system by the governor, and then only on the less production by prison industries, and following change: The words "ten years" in said section be changed to "five years," in other words, if the sentence is for a term of not exceeding five years (changed from ten to five) proposed, for this state has a prison situation which is decidedly unenviable. One fact alone should be enough to persuade the defendant to bail in a sum to be fixed by the judge with sufficient Alabamians that changes are needed, and prisoners in the newly-created board, which, that is the state's unhappy distinction of under the proposed enabling act would be compelled to frame S. T. Stagell

BIRMINGHAM, May 22.—An attorney for the defense, Mr. W. H. Jackson, told the court that he had been retained by the state to represent the Negroes in the case. He said he had been retained by the state to represent the Negroes in the case. He said he had been retained by the state to represent the Negroes in the case.

13. That solicitors be authorized to institute prosecutions in all cases of misdemeanors by information as well as by indictment, and that the state's unhappy distinction under the proposed enabling act, would be having the largest prison population, in proportion to general population, of any state incers who would be charged with the duties of making investigations of cases and super-

14. We recommend that the trial judges be given the discretion to place a limit on the number of written instructions that he will consider on behalf of either party to any cause.

half of either party to any cause. Agent business now engaging its attention, system of supervised probation and parole, he Legislature will be expected to take up under the direction of a non-political board, the question of penal reforms. The recess Proper investigation and supervision are, of to accept directly or indirectly, any fee will afford an opportunity for the members course, the prime essentials of a successful or other compensation or expense money for any service or recommendation to study the subject, along with other major system of probation and parole. in the obtaining of any pardon or pa legislative problems. In their study, the Such a system would relieve the state's role. legislators will have the benefit of the re-prisons of many offenders deserving of pro-

16. That the time for tendering bills of exceptions be limited to 60 days and that the time for consideration by the F. Feagin shortly before his retirement suggestion and the expense of maintaining con-judge limited to 30 days, and that the director of the State Board of Administra-victs, and at the same time vastly improve time shall not be extended. tion under Gov. Miller. These reports con-the possibilities of their reclamation as use

17. That the minimum punishment for conviction of perjury be reduced to one year.

18. That only two continuances of the careful attention of both the Graves ad-methods in Alabama. Since our prison system for a new trial be allowed and that each continuance be for a period of weeks ago on probation, parole and pardon methods would place Alabama in a high position.

19. That in criminal cases an appeal was followed, just a few days before the end position among the states having progressive will waive the right to plead former of the Miller administration, by a special re-and enlightened penal policies. jeopardy in the event of a reversal and port in which he presented a draft of the The people of Alabama should have an new trial.

20. That the time for answering in-constitutional amendment and the legislation early opportunity to vote on this amend-
necessary to carry out his proposals for ament, or a similar one. In the meantime

scientific system of probation and parole, there is another prison reform which by all means should be made as soon as possible; John H. Peach, legal adviser to Gov. Miller, that is the abolition of the outrageous victim fee system, which is chiefly responsible for Alabama's having the largest prison population, proportionately, of any state. This arrangement, it has been conclusively shown, has the effect of encouraging county probation and parole officers of several states to dump many prisoners on the state, simply for the fees involved. In no other subject." 1-31-35 state, it is said, does such a condition exist.

The text of the proposed constitutional amendment is as follows:

"The governor shall have power, after trial of the convict fee system. The present conviction, to grant reprieves, commutations Legislature should act promptly to end it. of sentences and full pardons, except in cases of rebellion, insurrection, or treason.

of sentences and full pardons, except in cases of impeachment. The power to remit fines and adopting the proposed plan of suspensions and forfeitures, and after conviction to grant vised probation and parole, Alabama can temporary and conditional paroles, shall re-make its penal system one of the best in the side in a non-political Board of Parole and United States. And these reforms, incidentally Pardons. Such board shall consist of three tally, by reducing our excessively large numbers to be appointed by the governor, prison population, should help materially in with the approval of the Senate. Their term meeting the difficulties imposed by the office, duties and compensation shall be Hawes-Cooper act of Congress prohibiting fixed by statute. A full pardon with restoration - the shipment of prison-made goods in inter-

Negro Surrenders As Frame-Up Arson Charges Are Made

BIRMINGHAM, May 22.—An attempt to frame S. T. Stargell, Negro worker, for arson in connection with the burning of the home of his former employer Arthur Bach, a Jefferson county farmer, was answered by Stargell himself who walked into the Jefferson county sheriff's office and said he heard he was wanted for questioning.

Stargell left the employ of Rich Saturday, May 11. He had worked for the farmer for about three months for nothing but food and old clothes. After leaving Rich's farm, he went up the Warrior River fishing. Rich's house caught fire early the following Tuesday. Stargell told how he had traveled under difficult conditions to get to Birmingham when he heard he was wanted for questioning.

Meanwhile, wild stories are being given credence and probably have been instigated by the police. These include such tales as Stargell's having asked three persons for a gun with which to shoot Rich and "threatening to get Rich with an axe." Four persons were burned in the fire—Rich, his two children and mother-in-law all died. Mrs. Rich survived. Stargell, despite his obvious innocence, is being held in the county jail "for investigation."

Crime - 1935

Alabama

OFFICER SHOT IN GUN FIGHT WITH NEGROES

Birmingham, Ala.
Past

L. & N. Special Agent

Gravely Wounded In

Clash With Pair

TWO SUSPECTS ARE HELD

Policeman's Companion
Escapes Injury In

Morning Battle

1/12/35

Shot four times in a gun battle with two Negroes early this morning Horace Sims, 33, special agent for the Louisville and Nashville Railroad, was in critical condition at St.

Vincent's Hospital today, while one of his alleged assailants lay less seriously wounded in Hillman Hospital.

The second suspect, Marshall Dozier, Negro coal miner, was arrested at his home near New Castle shortly before noon and placed in County Jail.

Both Dozier and the wounded Negro, D. Davis, also a miner, were to be charged with assault with intent to murder, R. C. Goad, head of the L. & N. Police Department said. Both Negroes, Mr. Goad said,

admitted being at the scene of the battle but denied any part in the shooting.

A search of the two suspects' homes in the New Castle coal mining community failed to disclose any firearms, Mr. Goad said.

The shooting occurred at about a.m. in a railroad yard near Nevas Castle, in northeast Jefferson County, where Mr. Sims was on duty.

According to F. M. Sims, brother of the wounded officer, the Negroes opened fire on Agent Sims and his companion, K. A. Pettiford, when the officers attempted to arrest them for looting a box of a Negro recently in the basement of the car.

All four men were engaged in the shooting that ensued, the brother said. Mr. Pettiford was

not wounded.

The wounded Negro was brought to Hillman Hospital several hours after the shooting. He was wounded in the right arm and both thighs. He was captured after his wounds pass the incident with the statement that had forced him to send for a physician.

Mr. Sims was shot once in the back, once in the chest, once in the stomach and once in the shoulder, according to his brother.

Oak Grove Resident

The wounded man lives at Oak Grove, six miles southwest of Birmingham. He is married and the father of two children, Horace Jr. and Jennie Belle Sims.

The shooting occurred at a point between Black Creek and New Castle, both coal mining communities.

Political maneuvering, petty spites and jealousies have hampered efficiency and ties. Mr. Pettiford, the wounded agent's companion, lives at 4403 Ave. R. Central Park.

Commissioner Downs took charge. We de-spair of removing politics from the Police Department but we had hoped that Mr. Downs would bend his efforts in that direction. The Grand Jury could help him if it would rise to the occasion and approach the problem on a coldly scientific basis.

Charges Officers Strapped

Him To Get Confession

Sylvester Holmes, Negro, charged today that he was beaten by Birmingham police in an effort to extract a confession that he robbed a grocery store.

Holmes made the charges through his attorney, Roderick Beddow. Chief of Police Luther Hollums said his department does not permit third-degree methods and that he will conduct an investigation if formal charges are preferred.

Detective F. S. Salser swore out a warrant charging the Negro with robbing an A. and P. store at 731 15th-st., s. on Jan. 17.

The Negro's back shows heavy scars, which he says resulted from a beating given him at police headquarters by three officers who took turns at wielding a strap.

Police Brutality

Brutal third degree police methods such as the beating of prisoners to force admissions or confessions of guilt are condemned by decent society.

The people of Birmingham, we believe, will not tolerate or their police force either subordinates or executives who participate in such conduct as the beating of Negroes recently in the basement of the car.

Brutality is necessary neither for the protection of society nor enforcement of

the law.

Since one officer admitted in court that he applied the lash and since his testimony involved two fellow officers, officials of the department cannot overlook the event or the department is opposed to such methods.

We have capable, courteous and courageous officers in the department, but baseless beatings and questionable conduct on the part of a few place the whole department under a shadow.

In the interest of police efficiency and the future of the department the Grand Jury when it looks into the beating in question would do well to investigate thoroughly the whole Police Department and the system under which it operates.

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White Bootlegger Blamed
For Negro Church Fights

Sheriff Haygood Paterson said yesterday that much of the recent disorder at negro churches in this county was caused by white men who took whisky to the meetings.

Boys before the split with the International Labor Defense organization, he was employed to coax negroes into Jim's family wished to save its life sentence for an alleged murderer. At his first trial, the jury disagreed. In the second trial, he was convicted and sentenced to prison for life.

Beddow had been retained as associate counsel in the N. A. A. C. P. lineup to defend the Scottsboro boys before the split with the International Labor Defense organization, he was employed to coax negroes into Jim's family wished to save its life sentence for an alleged murderer. At his first trial, the jury disagreed. In the second trial, he was convicted and sentenced to prison for life.

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been in the store and was merely having robbed an Atlantic and Pa-cific Tea store.

The police, stated Beddow, took Holmes, charged by the police with being in the store and was merely having robbed an Atlantic and Pa-cific Tea store.

As a result of Beddow's and Holmes, who, he claims is innocent of any crime into the investigation of the affair has been moved to the city hall and whipped him unmercifully with a leather strap, three feet long, four inches wide and one-fourth of an inch thick.

With blood streaming from his back, Holmes was then transferred to the Southside jail where

his body was painted with iodine.

Beddow also brought before Judge Abercrombie, J. E. Dixon, one of the police involved, who confessed that he was one of the officers of the law who applied the lash in order to force Holmes to tell where he had hid a sack of flour which Holmes claimed he had not taken. Dixon, admitted that he struck Holmes across the back 12

GRAND JURY TO INVESTIGATE UNMERCIFUL BEATING OF NEGRO BY TOUGH ALABAMA OFFICERS

1/12/35 Birmingham, Ala.
STRUCK AT LEAST 25 TIMES ON BACK WITH HEAVY STRAP AND PAINTED WITH IODINE

State's Foremost Criminal Lawyer Retained In Case

BIRMINGHAM, Ala., Feb. 7.—(ANP)—Local police who have been using their time running down so-called Reds and snooping around in the backyards of Negro homes for liquor, came in for another blast last week, this time from Roderick Beddow, the state's most foremost criminal lawyer.

Beddow had been retained as associate counsel in the N. A. A. C. P. lineup to defend the Scottsboro boys before the split with the International Labor Defense organization, he was employed to coax negroes into Jim's family wished to save its life sentence for an alleged murderer. At his first trial, the jury disagreed. In the second trial, he was convicted and sentenced to prison for life.

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18 Plead Guilty In Circuit Court

18 prisoners were arraigned in Circuit Court yesterday before Judge Eugene W. Carter and pleaded guilty to the Negro released his grip, and Mrs. Jones said she switched on the light. Grand Jury Judge Carter imposed sentences ranging from 18 months to four years. The prisoners were sent to Kilby Prison yesterday afternoon. Two white men and two negroes were in the group.

George Edward Chisholm, burglary and grand larceny, was sentenced to an indeterminate term of 18 to 24 months. Bill Gilliam, burglary, got two years to two years and six months. The following negroes drew terms:

Clinton Blanton, grand larceny, two and one-half to three years; James Dennis, assault to murder, two to two and one-half years; Willie Cook, grand larceny, two to two and one-half years; Edgar Evans, burglary, two and a half to three years; Robert Evans, burglary, three to three and a half years; Josephine Hudson, grand larceny, 15 to 21 months; Eugene Jackson, burglary and grand larceny, four to four and a half years; Robert Jones and Cleve Carter, grand larceny and receiving stolen property, two to two and a half years; John Henry Robinson, grand larceny, two to two and a half years; Charlie Williams, burglary, two to two and a half years; Wiley Hopkins, burglary, four to four and a half years; Johnny Williams, burglary and grand larceny, three and a half to four years; Lonnie Williams and Garfield Benson, burglary and grand larceny, two to two and a half years; Mary Williams, burglary and larceny, 18 to 24 months.

Only cases appealed from the recorder's court were retried yesterday. The following negroes were fined by the judge: Paul Bryant, carrying a concealed pistol, \$100 and shooting within the city limits, \$25; Nathan Brooks, assault and battery, \$20; Frank Bristol, petit larceny, \$25; Hop Hill, violating the prohibition laws, \$50, and Handy Smith, reckless driving, \$50. Willie Brown was found not guilty of collision and Pinky Hall was acquitted of disorderly conduct.

Trial of State cases will start this morning.

NEGRO INTRUDER IS ROUTED BY WOMEN

Assailant Invades Home In

West End Last Night

An unidentified Negro early today terrorized three West End women. The Negro entered the home of Mrs. Lucile Jones, 512 Sixth-st, sw, choked her and grabbed with her daughter a roomer after stealing about \$2.00 and two books of car tickets, and escaped before police arrived.

Mrs. Jones said she wakened when the Negro sat on the side of her bed. When she called to her daughter, Mary Nettie, 20, and a roomer—Miss Christine Otwell, 20—both of whom were sleeping in the same room, she said the Negro tried to choke

Seeing the girls had awakened, the Negro released his grip, and Mrs. Jones said she switched on the light. The intruder then grabbed her by the shoulders and shook her, she

said. The Negro then fled.

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The intruder then grabbed her by

number of them are believed to have been put into circulation in the city. The banks have discovered few if any such counterfeit pieces, but reports have been made to these institutions that fake half-dollars were flooding some sections of the State. Except for the seven half-dollar imitations found in the negro's house during the raid, the police have located but one other. It was announced. A merchant turned that it.

According to Detectives Chancellor and Danner, the counterfeiting device was crude and the fake coins easily detected. The officers said the discovery that led to the raid and arrests was made Monday afternoon by a rural family who had received some of the Montgomery-made coins in payment for chickens, eggs and other produce.

The detectives said Shields and Cushing had been seen frequently with the negroes and that the white men had been hauling their negro confederates around in their automobile.

Trap Negroes 'Minting' Half-Dollars In Shanty

Police And Federal Men

Trap Negroes 'Minting' Half-Dollars In Shanty

Negro's Sentence

The death sentence of Willie Winton, Walker County negro, whose execution

for the killing of two white men had been set for Friday, April 19, was commuted by Gov. Graves yesterday afternoon to life imprisonment. His action was recommended by Atty. Gen. Albert A. Carmichael and Secretary of State Howell Turner, composing a majority of the State Board of Pardons. Judge Charles E. McCall, State auditor, the third member of the board, declined to recommend clemency.

Following hearing of Winton's petition for commutation, Secretary of State Turner recommended that it be granted, but Atty. Gen. Carmichael and Judge McCall opposed it. On the eve of the date originally set for the execution of the condemned man, March 22, Gov.

Graves granted him a reprieve of 30 days so that he could give further study to the evidence in the case. On further consideration of the record, the Attorney General changed his unfavorable recommendation to a favorable one.

Winton was convicted of shooting and mortally wounding Buck Guthrie and Travis Benton, after he had been stopped on a public highway by the two men who demanded that he dance for them. At his hearing, he claimed the men threatened him; that he was frightened and that he fired the fatal shots in self defense though he never intended to kill any one.

The negroes, Daniel Russell, Robert Stinson, Henry Ross, Mattie Haynes, and Flora Smiley, were taken into custody early yesterday morning. Ross is said to have been the occupant of the house where the fake coins were being made. Detective Chancellor said that a counterfeit half dollar was in the mold at the time of the raid. A few others had just been turned out and the detectives recovered seven of the spurious half-dollars. It is understood the alleged counterfeitors had been turning out 25-cent imitations, although none was found.

Although complaints had been made for several weeks to Federal and city authorities of bogus coins, no large

Fights Leave 10 Officer Battles Negroes Wounded

Difficulties among negroes in the city and county Saturday and yesterday resulted in at least 10 of them being wounded some seriously.

During a disturbance yesterday at a church near Hope Hull two negro men, Cliff Fuller and Leon Jenkins, were shot and badly wounded. They were brought to a Montgomery hospital. Several others were believed to have received minor injuries. Deputies said the disturbance was caused by an intoxicated negro.

Edward Bruce, Chisholm negro, was reported to have been shot and critically wounded by Sullivan Vandiver, also a negro. The latter, a former convict, was bruised during the scuffle.

The scene of the battle was about two miles east of Pinola where E. W. Myrick, chief investigator of the alcoholic unit of the Bureau of Internal Revenue for the Montgomery district and other agents, sought to arrest three

Rosa Scrum, negro woman whose homenegroes, who, it was alleged were about is in the rear of 111 South Perry Street, to put into operation two 600-gallon

negroes ran in varying directions when "flushed" by the officers. Officer Myrick intercepted the flight of Ralph Fielder, a large negro who weighs about 250 pounds. Officer Myrick said the negro surrendered meekly enough until he reached for the handcuffs. At that moment, the negro rushed him, struggled to get his revolver, he said.

They clinched, fell to the ground, rolled down a steep incline. The negro, Officer Myrick said, was holding the barrel and end of the stock of the revolver while he held the revolver about the middle. While rolling over, he said, the revolver was discharged several times and when the tumbling ceased Officer Myrick said he found himself in a ditch with the negro on top of him.

Last Christmas Eve, M. C. Busby, negro farmer of Chambers County, received a benefit payment check from the Agricultural Adjustment Administration in the amount of \$24.

But the check was made out jointly to himself and Mrs. Zora Stephenson.

So Busby "just signed" Mrs. Stephenson's name to the check, got the money and spent all of it.

Yesterday Agent of the Department of Justice brought Busby to Montgomery the Montgomery jail, where it was reported the United States Commissioner before the United States Commissioner

wounds, one shot taking effect in the thigh near the hip and the other near the knee.

Busby pleaded guilty and his bond was set at \$300.

Asked why he forged Mrs. Stephenson's name Busby replied:

"Boss, it was Christmas time, dat's all."

The negro gave his address as Gadsden

and officers suspect that he is wanted

for crime elsewhere and that this led to his desperate effort to escape. Another negro, Bob Lee Cobb, of Atlanta, also was captured at the still, but a third negro escaped.

Crime-1935

Arkansas.

Lash Death Of Convict Probed

arrested
LITTLE ROCK, ARK., May 13—(P)—

Dr. Lawson C. Aday, coroner, announced today that he has started an investigation of a death at the Pulaski County farm alleged to have resulted from use of the lash.

Mayo died two days after receiving a whipping. Coroner Aday said, they did not believe the punishment

The announcement followed appointment of R. L. Farris, paid guard, as death. Miles and Charles Morgan, assistant superintendent of the penitentiary Farm, were subpoenaed by institution succeeding Jess Miles. Miles tendered his resignation to county Judge Cook following an investigation of alleged whippings at the farm instituted for drunkenness, was whipped by county officials as result of the shooting to death of Lester D. Stroud, a prisoner.

Otis Page, farm superintendent, Dr. Aday said the new investigation was quoted as saying Miles had been made into the circumstances given the negro five strokes with a surrounding the death of James Mayo, lash three or four days before he elderly negro. He said the death had died. He said he and two paid not been reported to him previously. guards witnessed the punishment.

Mayo died two days after receiving a whipping. Coroner Aday said, adding that prison officials told him they did not believe the punishment had anything to do with the negro's death. Miles and Charles Morgan, a paid guard, were subpoenaed by the coroner to testify regarding the whipping. Dr. Aday said he had learned Mayo, serving a sentence for drunkenness was whipped when he was alleged to have refused to work.

PROBE USE OF LASH AT PULASKI FARM

Commenced
Death of Negro Brings New
Inquiry

5-14-35

LITTLE ROCK, May 13.—(AP)—Dr. Lawson C. Aday, coroner, announced today that he has started an investigation of a death at the Pulaski County farm alleged to have resulted from use of the lash.

The announcement followed appointment of R. L. Farris, paid guard, as assistant superintendent of the institution succeeding Jess Miles. Miles tendered his resignation to County Judge Cook following an investigation of alleged whippings at the farm instituted by county officials as result of the shooting to death of Lester D. Stroud, a prisoner.

Dr. Aday said that the new investigation is being made into the circumstances surrounding the death of James Mayo, elderly negro. He said the death had not been re-

ported to him previously.

Aiding in the probe are County Judge Cook, Ross L. Lander of the quorum court, and Fred A. Donham, prosecuting attorney. The officials questioned prisoners about the activities of a "kangaroo court" maintained on the farm by the in-

mates.

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Negro Given 8 Years

Non-jury trial

For Stealing 8 Hens

Non-jury trial

CONWAY, ARK., July 18.—(P)—Circuit

Judge William J. Waggoner fits punishment to the crime.

Albert Mitchell, negro, pleaded guilty to a charge of stealing chickens in Faulkner County court today.

"How many chickens did you steal?" the judge asked.

"Ah jest stole eight, jedge," Albert replied.

"Then I will give you one year for each chicken and sentence you to eight years in the penitentiary," Judge Waggoner decreed.

California.

Crime - 1935

COALINGA, CALIF.

DAILY RECORD

MAY 29 1935

FIREWORKS IN CRIME

A threatened lynching, a row between a sheriff and a district attorney, and loss of \$30,000 worth of property by fire constitute a pretty large helping of grief all in one dish.

Yet the touching of a match to a lumber company plan near Martinez by a youth who "just liked to see things burn" stirred up this mess of trouble the other day, and it may work out that he was doing California a favor after all.

That is because the fuss has focused attention on the problem of incendiarism and the need for strengthening arson laws in this state.

What happened at Brentwood was that 150 indignant citizens attracted by the factory blaze threatened to string the guilty youth up, a sheriff whisked him away to Martinez, and then got into a war of words with the district attorney over whether the youth should be questioned immediately or permitted to rest until morning.

How this individual case will work out is of little consequence. But it does bring to the fore an issue which must be faced and settled if the state is to reduce the utterly needless waste of approximately \$500,000 annually.

An incendiary may be a pyromaniac simply obsessed with a desire to burn things, or he may be a thief who sets fire in order to loot during the confusion. The tendency of the law at present is to proceed under the presumption that offenders are probably pyromaniacs until proved otherwise.

The fault with this is obvious, since the thief who sets fires for purely predatory purposes can hire a clever lawyer and, with a bit of acting, get off scot free almost any time.

The laws must be tightened. After all, a murderer may also plead insanity, but evidence must be conclusive before he is judged demented. And not infrequently an arsonist is guilty of murder. Sometimes a sleeping occupant of the building he sets fire to is not aroused in time.

Crime - 1935

D.C.

NEGROES, WHITES CRIMINALS IN *Volume* EQUAL NUMBER

2-9-35

Police Inspector Declares
Both Races Commit

*Crimes Here
Washington*

Although 60 per cent of the total number of felonies committed in the District of Columbia during the fiscal year ending last June 30, were committed by Negroes the number of white persons arrested on minor charges so far overshadows this difference between the two races that Inspector L. I. H. Edwards, assistant superintendent of Metropolitan Police was prompted to admit that white people are engaged in crime to the same degree as are Negroes.

This admission was drawn from the inspector by Representative Jennings Randolph, of West Virginia, chairman of the subcommittee investigating local crime conditions for the House of Representatives, Monday. Inspector Edwards was on the stand testifying behind Major Ernest W. Brown who relinquished the witness chair Friday.

Inspector Gives Figures

Figures offered by Inspector W. S. Burke, chief of detectives, when he took the stand on Tuesday corroborated Inspector Edward's testimony. His chart showed that of the 4,919 felonies committed in Washington, 3,185 were Negroes and 1,734 by white.

His statistics on other arrests, however, showed approximate four-and-a-half times as many to have been committed by white persons than colored. There were 36,642 apprehensions for misdemeanors and violations of municipal regulations among white people and 3,903 among the other group, a difference of 27,739.

Crime - 1935

Delaware

**WILMINGTON, DEL.
Journal-Every Evening**

**NOV 20 1935
"Brutes"**

TO THE EDITOR: If the Wilmington people let these two Negro brutes get away, after beating a member of the police force, who was performing his duty, then we should hang our heads in shame and let every other city laugh at us. * * *

Let's all get together and see that justice is done and let's teach others to respect a uniform which is our bodyguard. * * *

Boiling for Justice

Crime - 1935

Florida

TALLAHASSEE, FLA.
DEMOCRAT

FEB 10 1935

A Rank Injustice

A negro rooming house in "Black Bottom" was defrauded of room rent of approximately \$9 by a negro, John Mobley, so the proprietor swore in a warrant issued by A. D. Torreyson, justice of the peace. Mobley was located in Belleglade, Fla., and Constable E. A. Kirkland returned him here to answer the charge.

In his cost bills for the month of January read at the county commission meeting Monday afternoon, the constable submitted one for this arrest totaling \$68, which is to be paid by the taxpayers of Sarasota county. Of this \$68 the transportation charges amount to \$63, the constable claiming \$21 for going to Belleglade and \$42 for the return trip with the prisoner. This is exclusive of the costs of the justice of the peace. Mobley is doing 60 days at the county stockade and during these sixty days he must be fed at the expense of the taxpayers.

The officers, however, were not remiss in their duties. They plugged diligently. They did not want it said that this brutal murder would go unsolved. Eventually slender clues were picked up here and there and pieced together. Then finally the murderer (now convicted) talked. He talked to another negro in the jail telling him that he had killed Urquhart and his wife. The sheriff was notified.

This seems to be the height of an outrage—the taxpayers of the county having to foot a bill of such large proportions to help a negro rooming house proprietor to get even with a negro defrauding him.

If the rooming house proprietor wanted his ruffled feelings abated he

should have been made to pay the expense of returning Mobley to Sarasota. The justice of the peace and the constable who helped saddle this expense upon the taxpayers have done the tax-

payers an unpardonable injustice. They should have insisted that the rooming house proprietor pay the costs.—Sarasota Herald.

Sarasota, Fla. Herald
June 27, 1935

CUTTING CRIME COSTS

A negro has been convicted of first degree murder for the death of James Urquhart, aged and respectable negro of the Newtown section who was brutally hacked to death on the night of February 11. The jury recommended mercy, and life imprisonment is mandatory.

Thus Sarasota county sends out additional notice to those who would commit a heinous crime that the guilty will not go unpunished.

With no clue whatever to work on following the killing, Sheriff Pearson and his deputies, particularly his chief deputy, E. A. Garner, had a difficult tangle to unravel. A negro and his wife were beaten to death with an axe, and to make it more confounding there were no fingerprints on the axe or the portion of the handle found in the room with Urquhart's body. The axe handle had broken in three pieces.

The officers, however, were not remiss in their duties. They plugged diligently. They did not want it said that this brutal murder would go unsolved. Eventually slender clues were picked up here and there and pieced together. Then finally the murderer (now convicted) talked. He talked to another negro in the jail telling him that he had killed Urquhart and his wife. The sheriff was notified.

Then the case was turned over to State Attorney Henry L. Williford and he vigorously prosecuted the negro in court, offering what spectators say was an unmistakable case of guilt. That there was no doubt in the minds of the 12 jurors that Morgan, the convicted slayer, was guilty,

Morgan, the convicted slayer, was guilty, is indicated in the short time the jury deliberated the case.

Swift punishment such as meted in this case will help to allay crime in this country. When the courts and juries act and punish the guilty, the taxpayers who foot the crime bills will find the cost materially reduced.

Crime-1935

General.

**URBAN LEAGUE
WEEKLY BULLETIN**

By JESSE O. THOMAS.

Atlanta's homicide record for the past 12 months would indicate that time is on the increase—that they value of human life is on the decrease. According to the Atlanta Daily World, there were 142 homicides among negroes alone during 1934. This is an average of one fatality in every two and one-half days. Already during the month of January there have been four negroes killed in Atlanta. That is keeping up the average of 1934.

Where life becomes cheap and the crime rate is high, people are discouraged from moving into such communities. Investors hesitate to loan money or otherwise invest their savings.

There may be many reasons offered for the explanation of this abnormality in the crime rate among both white and colored people. One of the reasons advanced by the National People's Forum, Sunday evening, which negroes take each other's lives, is attributable to the difference in the the Daily Press Towards Colored People's Forum. Professor Joseph Hill of Lincoln University will be the speaker at the race problem and an overrating of crime, Dr. W. C. Simpson, of the department of Sociology, told the City-Wide Young People's Forum, Sunday evening. He will talk on the Little Theatre movement.

In recognition of this fact, we understand that the chief of police and the police commission are planning to augment the police force by putting on 100 plainclothes detectives, whose salaries will be subsidized by the federal government. As I understand it, criminal statistics showed that these people will be taken off relief and assigned to detective duties as finished but fourteen per cent of the larceny, robbery and burglary commissions, they furnished forty-seven per cent of this type of news for the papers.

In all cities where negro policemen and plainclothes detectives are employed, the crime rate among negroes has been materially reduced and the percentage of negro criminals apprehended has been greatly increased. Since negroes represent such a large percentage of the murders in Atlanta, and since the number of negroes un-space in the daily press of this city, Dr. Simpson declared,

larger percentage of their population. He stated that his study, which devoted six years of research to the fact that negro peace officers have in other cities contributed so much in the way of crime reduction and criminal apprehension, if a plain clothes detective squad is to be taken from relief rolls, it would seem logical to include some negroes part of the white press to sway public opinion on racial policies. This would be establishing a precedent for this area, we might add that here are negro policemen and plain clothes detectives in Louisville, Ky.; Knoxville, Tenn.; Tampa, Fla.; Galveston, San Antonio, Houston, Austin, and Fort Worth, Texas, and many other small towns in Texas; Tulsa, Okla. AFRO-AMERICAN is one of the papers being used in the study of the effect of colored newspapers on white public opinion. There is no serious effort on the part of the white press to sway public opinion on racial policies.

Dr. Simpson is making a study of the effect of colored newspapers on white public opinion. The City-Wide Young People's

I believe we have as justice-loving white citizens in Atlanta as there are in these other cities where negro policemen are employed. The reason, therefore, for negroes not being employed in Atlanta, undoubtedly, is a question of getting this matter square before an open-minded element of those in control of our city government.

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Florida the rate reaches 26.4. In 1933 the dishonor of the highest rate for any city—59.5—fell to Lexington, Ky. These geographical discrepancies are in large part explained by the high homicide rate among Negroes. In the United States, as a whole, during the five-year period 1926-30, the authors point out, more than eight times as many Negro as white males were slain per unit of population and almost seven times as many Negro as white women. To what extent was this due to the killing of Negroes by other Negroes and to what extent by the killing of white men? The authors are silent on this point, perhaps because they have no information on it. But they do point out that the highest Negro homicide rates are found, not in the South, but in the Middle West, with Missouri, Illinois, Ohio and Michigan the chief offenders.

One conclusion on which the authors are emphatic is that the sale of firearms must be restricted. About two-thirds of American deaths from homicide are due to the use of firearms. In England and Wales in 1932 only 13 per cent were caused by firearms, and in Germany, prior to the present regime, about 27 per cent

—New York Times

White Press Overrates Crimes of Colored, Temple Prof. Tells Forum

Forum is launching a campaign to secure the employment of colored youth in the public library system of Philadelphia. Mrs. Madelene Rainey is heading the committee on this project.

PHILADELPHIA.—That a care-free six-year study of colored newssystem of Philadelphia. Mrs. Madelene Rainey is heading the committee on this project.

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PRESS

Camden, N.J.

MAR 9 1935

Our Murder Record

Louis L. Dublin and Bessie Bunzel, in the March Survey Graphic, have formed a useful service in bringing together in comprehensive form the major facts that are statistically known or ascertainable about the American homicide record. As even the casually informed know, that record is a shameful one. The victims of homicide in the United States number annually over 11,000 persons, 9.2 out of every 100,000 of population, which is more than three times that in Italy, which has the highest rate in Europe, eighteen times that of England, and twenty-nine times that of The Netherlands. The United States, moreover, is the only important country which shows more homicides in recent years than prior or was caused by erysipelas. If caused by erysipelas it is held to the World War.

The exact causes of our shocking record are not easy to determine. The authors dispose of a few facile popular explanations. There is a connection between crime and poverty; but why should this particular crime be so much greater here than in other countries, which enjoy fewer material advantages than we do? When our bad record is ascribed to the lawlessness characteristic of a pioneer country, again the explanation does not tell us why recently settled countries, such as Australia and New Zealand, have rates respectively one-fifth and one-tenth of

by accused officials that there is no evidence of failure to "give the attention necessary for the protection of the prisoners' health." There may be here a nice distinction according to prison-camp reasoning, or, perchance, another most ingenious paradox, but the two Negroes probably do not appreciate it. They remain deprived of their feet.

Such is one of the depressing tales in the news of the day in this land of supposed enlightenment. There is, however, the encouraging aspect of the case found in the determination shown to permit the fierce white light of publicity to shine upon the prison camps, and, as abuses are revealed, to take steps to remedy them.

It has long been known that in spite of the undeserved fame of Chicago our highest murder rate has been in the South. The New England States have the best record, with a rate of 2.0. In

**SAVANNAH, GA.
NEWS**

MAR 9 1935
SOUTH'S HOMICIDE RATE HIGHEST

The homicide rate in the South is almost twice the rate for the whole country, being reached in 1926. Among negro women per 100,000, according to reports of a survey conducted by Dr. Louis I. Dublin, statistician of the Metropolitan Life Insurance Company, who with Bessie Bunsel presents the figures in the March issue of the Survey Graphic. New England has the lowest record, 2.0. Among individual states the rate was: Vermont, 1.3; Maine, New Hampshire and Massachusetts, under 2 per 100,000; Florida, 26.4, the highest rate in the country; Mississippi and Alabama, more than 20 per 100,000, and Georgia and Louisiana, "not far below that mark."

The report shows that among cities, Lexington, Ky., headed the list with a figure of 59.5 per 100,000 population. Little Rock, in prison on each charge, "the sentences to run concurrently." Memphis and Birmingham all had rates of more than 50. Atlanta, Macon, Savannah, Ga., all had rates of more than 40, as did Jacksonville, Fla., and Montgomery, Ala.

"The largest cities, commonly considered the most murderous," the article says, "had rates about a fourth or even a fifth those in many Southern towns." The Herald-Post is not concerned as to that. It balances the Oklahoma sentence against that at Princeton, Ky., and presents the problem to lovers of justice and fair play. It makes no comment on the singular disproportion and invites no angry reaction. The figures speak for themselves.

The statements contained in the report offer food for serious reflection, especially in the South. Among the means for coping with homicide recommended in the article are prohibition of the sale of firearms and elimination of environmental factors that encourage crime. The latter recommendation, we believe, offers the better course of procedure. Closer surveillance of areas where crime flourishes and killings are numerous seems to offer the more logical method of meeting the problem.

According to the report, more than 11,000 persons annually are the victims of homicide in the United States. The authors of the article, entitled "Thou Shalt Not Kill," say the homicide rate of 9.2 for 100,000 of population is "the most acute symptom of a deeply-rooted national lawlessness which reflects our historical backgrounds, racial mixtures, industrial conflicts, limited educational system and many other factors in social organization."

The authors of the article, according to the New York Times, state that "In the United States as a whole during the five-year period, 1926-1930, more than eight times as many negro as white males were slain per unit of population and almost not fit?"

(New England, New York, New Jersey, Michigan, Indiana and the District of Columbia) since the World War." The article continues: "In 1920 the standardized rate for white males was 7.4 per 100,000 and in 1930 it was 7.7. The rate for white females also changed very little. Among negro males, however, the rate rose from 43.5 in

1920 to 58.9 in 1930, the highest point, 67, twice the rate for the whole country, being reached in 1926. Among negro women per 100,000, according to reports of a survey conducted by Dr. Louis I. Dublin, statistician of the Metropolitan Life Insurance

LOUISVILLE, KY.

HERALD POST

JUN 10 1935

DON'T LAUGH.

CHARLES JACKSON, Negro, was given a sentence of 21 years. He will serve his term at Eddyville. It was a \$4 affair. Five years for each dollar's worth of property.

About the same time, Dr. Guy E. Brewer, a white man, Oklahoma physician, pleading guilty to

manslaughter growing out of illegal

operations on women, was sentenced to four years

of 59.5 per 100,000 population. Little Rock, in prison on each charge, "the sentences to run

concurrently."

Four dollars, 21 years. Six deaths, four years. There is probably a mathematical equation which determines the ratio.

It did Jacksonville, Fla., and Montgomery, which

Memphis and Birmingham all had rates of more than 50. Atlanta, Macon, Savannah, Ga., all had rates of more than 40, as did Jacksonville, Fla., and Montgomery, Ala.

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Six deaths, four years.

Four dollars, 21 years.

All of us, white and black, are citizens with the same inborn rights to life, liberty and the pursuit of happiness.

Don't laugh.

THE WHITE CITIZENS' REAL PROBLEM

The most hardened individuals must shudder with horror as they read accounts of the father and son involved in the cold murder of a total stranger a few days ago, for a mere \$12,500. And then turning the pages of the same paper, read of the gangster syndicate in Rhode Island that concocted the idea of placing the feet of their victim in liquid cement, letting it harden and then throwing the person overboard.

These if you please are some of the off-shoots of a civilization that sets materialism above character and human understanding. All of these fiends were in quest of the almighty dollar and seemingly they would stop at nothing to reach their objective. And to think that some simple souls would plead for the abolishing of capital punishment. What would they do with such mentally diseased persons that roam our city streets and highways awaiting a chance to strike under cover of darkness? Who can handle such a mind and is it not far better to quietly take them from a society in which they do not fit?

5-11-35

We are not prone to making claims for the innate characteristics of any race but we thank God that the American Negro negroes into the original registration states

has shown little or no inclination toward the practise of such criminality as is continually showing up in our daily papers. There is most assuredly something invigorating and stimulating about being closer to nature, for seemingly it does not carry with it the fiendish development that some of our white brothers manifest. We sometimes wonder if this sordidness upon his part is not an indication of being supersaturated with the follies of a highly developed civilization?

Of one thing we are quite sure and that is, it may be old fashioned and simple to cling to the spirit and doctrines of Jesus but we would rather die damned by the world as a fool, than imbibe the treachery, licentiousness and perversion of some of our white brothers. Let the Negro keep forever singing his spirituals if it is going to keep the finer things uppermost in his heart. He may lack the material thing we call Gold and he may not be able to strut about with false pomp, but he will ever avoid selling his very soul for these transient features.

The white man in America had better direct his efforts toward an inventory of his moral fibre. He had better give a little more consideration to the philosophic and spiritual things of life ere it is too late. Nothing can tear a nation asunder more readily and more surely than the deterioration of its morals.

Atlanta, Ga. Constitution

August 14, 1935

raising her own brats cannot refrain from her friendly duty of reporting the neighbors' kids for tin-canning the dog

Atrocities

It is doubtful that or smoking cubes out behind the

On U. S. Soil.

concentration camps can have

out-awfulled the atrocities which occurred in the turpentine camps and on the peon farms a few years ago or the cases of the negro prisoners last winter. The negroes, it may be recalled, were locked up in a bar shack in cold weather, frozen, lost their feet and were finally held to blame on the ground that they had wrapped their legs in spiral puttees which stopped their circulation.

There is much home-work to be done before the United States will be qualified to act as critic-in-chief of the world in general but the mother-in-law instinct is strong and a country which has done none too good a job of

Crime-1935.

General.

Says Statistics Hide Truth About Race Crime

Writer Contends Race Isn't So Criminal As Figures Would Indicate

By ENOC P. WATERS, Jr.

We may be a little thinskinned about the subject, but who wouldn't be! For several years we worked in the South. We attended school in the South. We made a rather extensive tour of the South, and everywhere we heard the same thing. Even here we've heard it and that's why we have taken our pen in hand—albeit a little indignantly—to give a few of our thoughts on the subject.

The subject is—lest in our haste crime is as bad as another. Whether we forgot to mention it assuming a man steals \$50 or \$50,000,000 it's that you'd know what it is that's grand larceny. A man in eating us up—Crime and the Heart of Dark Delinquency, or volver, shoots another, killing him Negroes, Black Delinquency, or any of the instantly, or devises some diabolical titles under which they list cal, lingering torture, ending in the killings and malefactions of death, it's murder.

No Organized Crime In Race

Every time we have seen statistics purporting to give the criminal ratio of the two races in a given area, it seems the Negroes have been far in advance of their white neighbors.

They always do more stealing; they always do more killing; they always have more unmarried mothers; they always break more traffic regulations; they always do more of everything that is considered wrong and as a logical result more of them are arrested than whites.

All We Have

Is A Belief

Now we're no sociologist; we mains—and not to the discredit of haven't studied criminology; we the blacks in this instance—that have no bewildering barrage of statistics; we have nothing but a firmized crime.

belief that black folks aren't quite so bad as the findings would indicate. Where in the annals of "Dark De-

pone, a Dillinger, a Barker, a Dutch Schultz, or even, if you choose to Negroes find their way to the jails go back that far, a Jessie James? and penal institutions of the land. In such cities at Atlanta, Ga.; especially in the South—than the Norfolk, Va., and others where the other Americans even though homicide rate among Negroes is may be—as it is in many instances—that they're made scape-large, it is not uncommon for one goats for those more versed in di-of the Race to plunge an icepick recting suspicion from themselves through the breast of his neighbor; and in other ways "beating" the're a little leaden pellet into his brain; dash in the side of his head law.

Even though it would be consist-with an axe or even whip a long-

icy of making white pure, and black, vile to falsify these statistics—and we don't put it beyond some persons we have met—we choose to believe the figures as attempting to justify nor explain it, they stand.

Reduced to cold hard digits one member we're not condoning nor choose to believe the figures as attempting to justify nor explain it, but it is in most instances swift, sudden and not infrequently pain-

less murder—almost what you he story is to show as we said be-mony given in court, hired a wagon might call humane murder.

But we challenge you to cite in dox involved in all lynchings.

"Black Degeneracy" cases of emas-

cation of a rival in love; the slay-

ing and dismemberment of a person

for a pittance; the pulverizing of a

murder victim in a meat grinder; lynching is some offense usually

described as revolting, horrible,

or a thrill killing.

Of course this might be attributed to a lack of originality and invent-

iveness on part of the Negro who is than forcing a man to eat portions

of his body which have been cruel-

ly hacked from him; or dragging his

white counterpart. It seems toly

indisput-nude form through the principal

us that every time it is ger-sheets of a settlement; or cutting up tried gave them stiff sentences, ex-

minated in the mind of a Negro a body an ddistributing it among the plaining that he was doing it not be-

cause they were thieves but because

that somewhere among his ances-tors was a Nordic to whom the ideathere were 16 known lynchings dur-them that they could have made

can be traced.

It has reached such a point with year—how many have been commit-

is the combination of the American which there were Negroes as active risks they had.

Indian and white that we suppose participants? To be sure Negroes

if a Negro were to commit somehow played the role of lynchers as it may not be typical is far from c-

particularly revolting murder thata variation of their traditional role exceptional, with that of the bandit

washed Ethiopia from the frontas lynchee. But the most horrible gang which raided a mail train in

pages, someone would come for-neck-tie parties on record are those Chicago grossing \$2,000,000; or the

ward with the claim that his grand-carried out by whites.

Moving on to larceny we are still over a half million in cash from an

admitting as evidence in this brief armored truck in New York. Both

figures which show the greater of these were perpetrated by whites.

number of offenses committed un-

der this classification as those of to count the forgeries, embezzle-

Negroes. Yet, as before, we are con-

cerns, safecrackings, bankbreak-

ending that the more serious cases and street hold-ups by whites

are those involving whites. which have resulted in the losses

are of sums over \$50,000.

We Feel Better Now

One of the things that has seemed to us a bit paradoxical is the brutal Negroes have an irresistible yearning

lynching of a man for an alleged

for the feathered inhabitants of the

vicious offense. It reminds us very barnyard. Whether or not this is

much of a point brought out in the true, it is nevertheless indicative

trial of a German obstetrical expert of the extent of the Negroes' ex-

on trial for humanely killing a mal-plots into larceny. It is seldom he

formed child at birth at the request steals more than the proverbial

of its mother who claimed she chicken or its cash equivalent.

would rather see it dead than living

O Yes, The Race Has Thieves

It was the contention of the state which demanded his death that in

Occasionally as in the case of the killing this baby he had wronged brother bankers in Washington, or white thieves claim annually. But

the state. The prosecutor thumbed the treasurer of a prominent Negro regardless of what it is, the fact is

the pages of history to show that in university, the sums stolen run into the Negroes don't do it.

many of the world's genii had been the thousands. But so rare is this

We could stretch this thing out

malformed and yet they had fertile among Negroes that when it does farther and give you much more

minds from which they were able to occur every Negro weekly in the to read. But the purpose of this

to make lasting and invaluable country—and there are about 150 of outburst has been served. We've

constructive contributions to world them—carries the story in alarming written enough to let off the excess

knowledge. He pointed out that if headlines of "return-of-Christ" di-steam which has gathered in our

was possible that this child might mensions.

system over a period of several

have possessed just another such

But it's hardly news for a white years during which we have attend-

superior mentality.

man to steal \$50,000. It happens soed and read of conferences called

regularly that the press pays no especially to uplift the "poor mis-

attorney argued that the state in put-particular attention to it any more guided Negro who has fallen into

death his client would be recording it in much the same man—the slough of degradation" and must

committing the same crime either as the United States treasury re-be pulled forthwith by his angelic

charged him with, inasmuch as his port which would be ignored alto-white brother, who expresses awe-

nental capabilities had already been together were it not for the greatat the failings of the "lowly black"

proved whereas those of the infant game of policy.

as though he "never heard of such

were but a hypothesis upon which An example of stealing among Ne-goers is illustrated in an episode

he prosecutor based his argument which was reported from Philadel-

phia several years ago. Two gen-

lemen of color, according to testi-

THE CRIME WAVE

Crime is on the upgrade as witness the following headlines gleaned from the front page of one edition of a daily newspaper this week:

"C. C. C. Camp Worker Slain and Body Swung to Tree and Burned."

"James Knox, Negro, Convicted of Assault and Highway Robbery and Sentenced to Eighteen Years."

"Police Expect Break in Brutal Slaying of Bride-Elect."

"Local Man Held in Extortionist Case in Norfolk, Va."

"Prosecutor Says Lynching of Two Negroes for Attacking Slaying of High School Honor Student Expresses Will of People."

"Two of gunmen of late Dutch Schultz, Underworld Lord. Missing and Believed Slain".

"Two Youths Go on Trial for Slaying of Woman in Florida".

"Young Woman Confesses Shooting Fiance to Death During Quarrell in Hotel Room."

"Witness Says Merchant Threatened Life of Officer Bee-fore Being Fatally Wounded."

"One Man Killed and Eight Wounded During Rioting."

"Automobile Thief Gets Prison Sentence and Fined \$5,000."

The above are but a few of the cases listed in the newspapers daily; scores of others, many occurring in rural sections among more obscure persons never reach the papers.

A glimpse at the daily news reports tell us crime is on the increase and that local, state and federal authorities will have to devise other means of dealing with an element which is menacing society.

The crime wave stands out as a challenge to society and those of constituted authority to combat crime, either through use of force in the field or the application of more restraint in the homes before the minds of children are warped by criminal desire.

DECREASING CRIME Property of American citizens has taken a sharp decrease in practically all classifications of crime during the past 24 months. The subsidence of the crime wave in the past three years is revealed in that statistics made public by J. Edgar Hoover, director of the Federal Bureau of Investigation.

In the first six months of this year there were 686 murders as against 785 in the same period of 1933; 440 cases of manslaughter of local law-enforcement officers against 492 two years ago, 7,518 methods.

Robberies against 1,440, 37,813 By co-ordinating the efforts of all burglaries against 38,937 and 30, the police departments of the country, both local and state, the Decrease in larcenies, of which there were 84,660 against 81,637, and criminal assault, with 787 against 662, were increases in registered.

Thus in all the major classifications of crime—murder, robbery, burglary—substantial lessening of the danger to the life and prop-

where they would be, at least for a time, comparatively safe.

WINSTON SALEM, N. C.
JOURNAL
DEC 31 1935

Where Crime Languishes

Only one murder has occurred in the city of Milwaukee, Wisconsin, up to now in 1935.

Milwaukee is a city of approximately 650,000 population.

The repeal of the prohibition law struck a death blow at organized crime in the larger cities by eliminating the rich revenue from bootleg liquor being used to finance crimes of every type. When the pocketbooks of gangland's leaders began to flatten the end came to the era during which the overlords of crime terrorized the public, including Winston-Salem, report more murders than the Wisconsin metropolis.

efforts of law-enforcement agencies. There must be reason for this extraordinary record.

With the advent of federal agents into the field of local crime, the police methods of the country, even in most of the smaller cities, began to be revolutionized. Now

No law enforcement body can function the average police officer, formerly helpless either in battling or pursuing a maximum of efficiency unless it is armed with rapid-fire guns and traveling in high-powered automobiles, is able to cope with the most desperate and daring law-breakers.

Only a few states, of which Georgia is a glaring example, have failed to profit by the example set by

This conclusion is reached because Milwaukee doesn't happen by mere chance to be content instead to let most of their local law-enforcement bodies remain improperly trained and armed.

It is not surprising that major crime is on the increase in Georgia when it is decreasing in states that offer better protection to their citizens. Murder, highway robbery, burglary and other major crimes have become steadily more frequent because the lack of a state police force has made the highways of the state places of haven for fleeing criminals, and made law-breaking both safe and profitable.

The people of the state cannot expect greater safety for their persons and their property until policing in Georgia reaches a higher plane than that on which it is now based.

Crime - 1935

Fear of Communism Haunts Southern Officials



How chain-gang prisoners are tortured in Georgia. This investigator, who posed in stocks at Stonewall, Ga., was barely able to stand after only five minutes in them. Prisoners are kept in them for hours.

Rev. Col. Gen.' John W. Hudson, Prosecutor in Herndon Case Interviewed by the Editor of the Labor Defender

[Editor's note:—This is the second of a series of articles by Mrs. Sasha Small, editor of the Labor Defender, written after this writer visited chain-gang institutions in Georgia and Tennessee. Sasha Small visited important officials, saw the Prison Commission, which runs the chain gang.]

By Sasha Small

ATLANTA, Ga.—Just as they keep the spectre of the chain-gang haunting the black and white masses of the South, so the ruling class, and particularly its officials, are haunted by the spectre of Communism. They fear it to the point of madness. They see it lurking behind every building, around every corner.

Reverend-Colonel-Assistant-Solicitor-General John W. Hudson, the man who prosecuted Angelo Herndon and demanded the death penalty for him because he led a successful demonstration of white and Negro unemployed to ask for bread, is the hardest hit of all. The man is completely insane on the subject of Communism. I went to hear him preach at his Gordon Street Baptist Church, in the wealthier white neighborhood of Atlanta. The title of his sermon was "Tomorrow—a Message to the Young."

Demands Death from Pulpit

The Reverend Hudson's eyes, set close together in his long, emaciated face, are black and beady—snake eyes. He stares into space as he speaks, waving his long, gaunt arms around like a windmill. His text was based almost entirely upon the speech he made to the jury in the Herndon case, demanding the death penalty for this young "menace to law and order," in January, 1933. Judging by the reaction of his congregation, he has made exactly the same sermon ever since. The weary semblance of attention they gave him clearly indicated "We've heard all this before."

On a small table right below the pulpit, he has spread out an array of Communist literature, the Party Organizer, the Communist International, The Communist, the children's book, "Our Lenin," and stacks of pamphlets.

The sermon itself? It is impossible to record with any accuracy the ravings of a madman like Reverend Hudson. The sentences simply don't hang together. The words follow each other, but they don't make sense. His voice rises from a hoarse whisper to wild shouting.

Herndon's Prosecutor Raves

He began with a quotation from Isaiah. That was the only thing that sounded like a sermon. Then he began firing questions. "How can young people have a good time and still be decent? How can you go to college and still remain a good Christian?" From these questions he leaped to the demonstration at the liner *Bremen* in New York, where "Communists tore down the swastika flag, the flag of a sover-

ign nation," and flung it into the sea! "The Communists are plunging us into war!" This seemed to be called Judge.

First, they gave me their last lead directly to the "seventh international-ee" which was sitting in Moscow at that very moment plotting against the State of Georgia these two years, 9,154 prisoners, and the whole world. From this convicted of felonies, served on the flowed quotations from Bishop William Montgomery Brown—the same record the additional thousands quotations which Hudson used to serve for misdemeanors. Of this condemn Angelo Herndon to 18 to number, only 554 men, 303 women 20 years on the chain-gang, because and 52 tubercular patients served on the two State Prison farms. A copy of the Bishop's "Communism and Christianity" had been found in his room.

A Maniac with Power

He read a passage which stated that the Old and New Testaments were filled with lies. He read it twice. Then he stopped dramatically and whispered: "You, young people, did you learn anything like that in your schools in Atlanta? Of course you didn't. But that's how these Communists are.

"They send tons and tons of this literature here to our city. I've written time and again to New York, to the Mayor and the Post Office officials there, asking them to stop sending it from the mails. But what do "no good" out on the roads. They you think they answer? They say are herded together into wooden they can't stop it legally and they barracks, and those who are not advise me to ignore it!" Here he too roared the word "ignore" three or four times. After another half-hour of ranting and raving about what the Communists think of marriage, religion and private property, he was through.

And this man has in his hands and fewer escapes."

the power to prosecute thousands of Negro people, workers black and white, and send them to the chain-gang, as he hopes to send Angelo Herndon.

Georgia Wants Herndon Back

His conversation with me was quite short. He was tired out by his performance. So I was from New York! Well, there was a delegation coming from New York to see the Governor, to ask him to abolish "our anti-Communist law we have down here."

"I didn't know that Georgia had an anti-Communist law," I offered. "Oh, yes, we have. And it's a good one. And we're going to keep it. They're going to ask him to free that nigger Angelo Herndon, too. They'll probably come to see me, too. He's out on bond now," he said with a sorrowful wag of his head, "but we'll get him back soon enough."

Three Old "Judges"

Next I went to visit the Prison Commission, composed of three old men, E. L. Rainey, G. A. Johns and V. L. Stanley. They call each

hidden graves hold the secret of the two State Prison farms. Men who worked beside them keep it locked behind their doors. The rest worked in the chain-gangs on the highways. There are 130 such convict camps—all operated by the counties under the supervision of the Prison Commission with the exception of nine run directly by the State Highway Commission.

Profits from Prison Goods

One State Prison farm is at Milledgeville. The descriptions I got of it from men who had been there sounded like the stories of Charles Dickens about the paupers' lives in England in the early years of the last century. Only

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to the old and decrepit and sick are sent to the farms, those who are it from the mails. But what do "no good" out on the roads. They

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And this man has in his hands and fewer escapes."

Each prisoner produced goods to the value of \$79 monthly. They do not get a cent in pay. The Prison Commission thought I was crazy when I asked how much the prisoners got for their work. The total income from farm products produced by male prisoners for the year 1934 was \$51,378.93. The women produced \$20,242.27.

The production of auto license tags has been rationalized to the point where the State saves \$16,683 yearly on their manufacture. They cost exactly .0682 cents to produce. Neighboring States have to spend 1,084, they proudly announce.

The ages of the prisoners range from 13 to 84, and the greatest number—830—are serving life sentences. The official figures state that during this period, 103 men died on the chain-gang and 872 "escaped." There are official individual reports on each of these cases, some of which they let me look at.

No Coroner's Inquest

There is an official death report

blank to be signed by the doctor, reports about all the circumstances of every escape. But some warden dies under "unusual" circumstances, there is no coroner's inquest. The doctor's signature is sufficient. What happened to the 103 deaths for this period others?

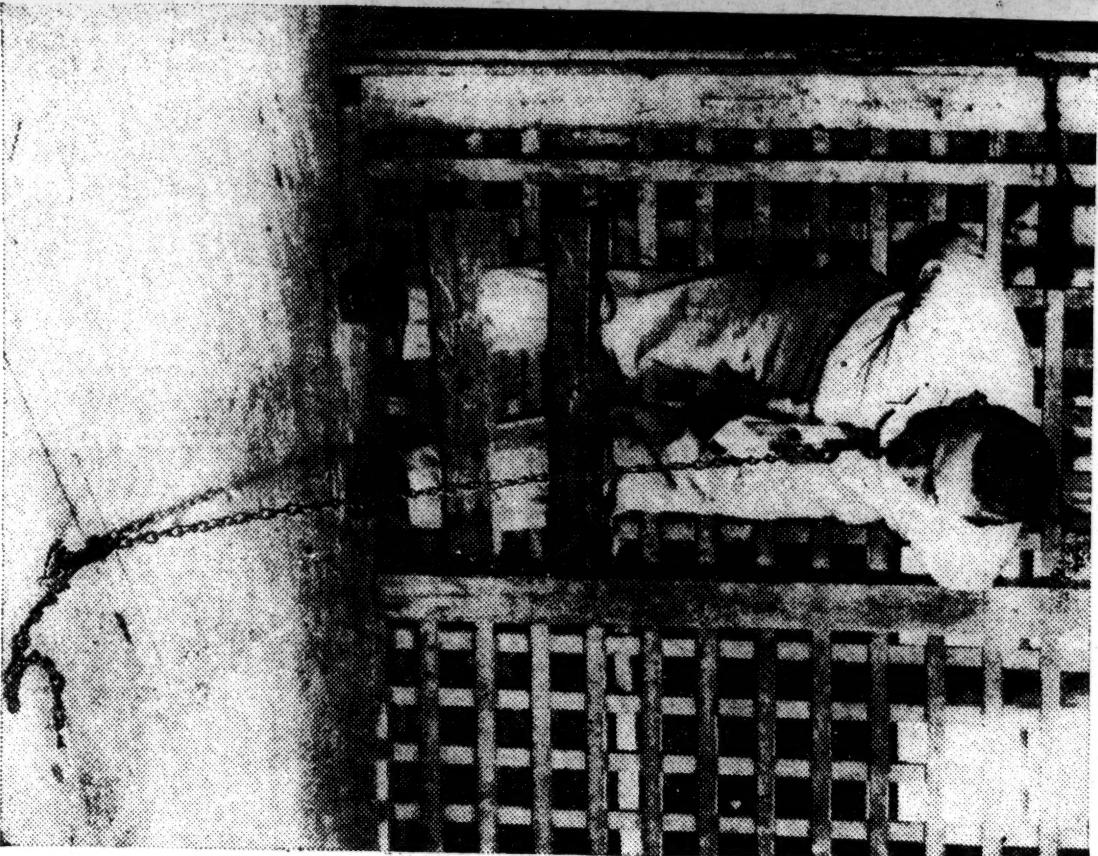
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They are supposed to receive full

Fear of Communism Haunts Southern Officials

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Rev. Col. Gen. John W. Hudson, Prosecutor in Herndon Case Interviewed by the Editor of the Labor Defender

[Editor's note:—This is the conditions of the Southern work-

second of a series of articles by ers. In this article she tells of the antics of the Reverend Colonel Defender, who was after Sasha W. Herndon, who prosecuted Angelo

Georgia and Temple, Ga. Herndon, and the work of the Smith and chain-gang lawyer. Herndon, and the work of the officials, saw the Prison Commission, which runs relatives of the Scammon boys the chain gang.]

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good one. And we're going to do it. They're going to ask him to free that nigger Angelo Herndon, number—830—are serving life sentences. The official figures state that during this period, 103 men died on the chain-gang and 872 escaped. There are official individual reports on each of these cases, some of which they let me be tracked down and extradited. Chain-Gang Rules Brutally Frank

The rules that govern the Georgia chain-gang system are brutally frank.

A shrug of the shoulders was the only answer I got in that office. What happened to the remaining 422 prisoners listed as "escaped"? Every day the

causes." the commissioners informed me. They were a little more vague about the "escapes." the real answer. Every day the

They are supposed to receive full

Separation of races: These buildings must be so constructed as to completely separate whites and Negroes. At least twice each year, unless painted, the buildings and stockades must be whitewashed.

Hours of Labor: The hours of labor shall be from sunrise to sunset; no convict shall be taken from camp until sunrise and all convicts shall be returned to camp at sunset.

Duties of Wardens: They shall safely keep all prisoners committed to their custody and rigidly enforce discipline by the use of such humane modes of punishment as will best enforce submission to authority and compel and induce performance of good nightwatchman at the home of B. P. O'Neal at 128 Bond street and around the side of the house, shot attempted to enter the O'Neal home twice again.

Guards shall not be permitted to strike a convict except to prevent escape, in his own defense, or in that of another," and as a last ironical gesture, "and in no case will he be permitted to curse a convict."

So much for the written reports rules and regulations. In the next article, I shall describe the attitude of the Prison Commission towards their work, towards their charges, towards Angelo Herndon, and the chain-gangs as they really are.

ESCAPED CONVICT KILLED BY DEPUTY

Dead Negro Was Sought for Slaying of J. G. Odum at Adel

ADEL, Ga., Aug. 17. (AP)—Sought for the slaying of Jim George Odum, 42, turpentine overseer, an escaped negro convicted as John Lewis was shot and killed tonight at La- Conte, near here, by Deputy Sheriff J. B. Ward.

Officers said they found the man in a house and when he refused to throw down a pistol he was armed with.

Odum was killed yesterday morning at a turpentine still and immediate search for the negro was started. He had been serving a six months sentence for theft. Odum had been the prosecuting witness in the case.

Overpowering guard Arthur Willis last Tuesday, the negro escaped from a Tift county gang after taking the guard's pistol, holster and belt and forcing another prisoner to accompany him on a county truck.

From the negro's body officers took a pistol, holster and belt which they said belonged to guard Willis.

Sheriff Virgil Rooks, Deputy Ward and other officers were in the group which finally located the negro.

Police Get Hurry Call, Fell Negro in Burglary

Radio Summons Patrol Car to O'Neal Home in Early Morning Hours; Culprit Is Wounded in Exchange of Bullets in College Street Section

the officer, they said.

Officer McGahee fired once and A Negro who had robbed the the Negro stumbled over a hedge. As he regained his feet the officer fired again and the Negro, running and faithful labor during work hours, such as solitary confinement, restriction of diet, restrictions of privilege of receiving visitors, and other privileges usually accorded first class prisoners; shall strictly enforce grade rules and good conduct; the use of shackles and striped clothing; fastening them in stocks in such a way as will restrict their movements for no longer than one hour at any one time.

The Negro, Willie Peek, was felled in the rear yard at the home of Mrs. O. A. Armstrong at 300 College street after he and Officer McGahee had exchanged several rounds of pistol fire, police said.

Officer McGahee's fourth shot struck Peek in the head after the Negro had fired four shots at the officer, the former reported. The Negro's condition was reported as "fair" last night at the Macon hospital.

Peek is charged with burglary, carrying a pistol concealed and without a license, shooting at another,

shooting in the city and assault with intent to murder. He is a 29-year-old railway employee living at 128 Bostic's lane.

The elderly nightwatchman, J. G. Dugger, was sitting in a small house in rear of the O'Neal home when the Negro slipped up behind him and put a knife to his throat, Officer McGahee said.

Demanded Entrance to Home

From the watchman he took a .32 caliber pistol, a knife, a flashlight, a watch and \$13 cash. He then went to the rear door at the O'Neal home and told Cora Searey, Negro maid living in the house, to open the door.

Officers McGahee and M. F. Bulard, cruising in a radio car on Madison street, received the radio call and sped to Bond street. Just as they crossed College street on Bond they saw a Negro hurrying along the sidewalk.

"I'll bet that's the Negro," Officer McGahee said and they stopped and commanded Peek to halt. He ran, officers said, and Mr. Mc-

Gahee jumped from the police car the climax to an investigation of and gave chase.

Negro Opens Fire

The Negro ran across the lawn at Mrs. Armstrong's home and, when he reached the front steps at the cases, and in practically every in-

der was named. Many face several with a wave of petty burglary and larceny cases here.

GA. CHAIN GANG ESCAPE IS NOW N. Y.'S PROBLEM

BUFFALO, N. Y., Nov. 18.—(AP) New York state is going to feed a Georgia chain gang fugitive for the next five years at Attica state prison. of the youngest have been released chiefly because Georgia refused to extradite him.

The arrests were made by George Dixon, Negro helper in the sheriff's office, after he had begun an investigation of the theft of a one-gallon bucket of lard from a car in the railroad yards. As each new suspect talked, the ring grew wider and more were jailed. T. J. McCommon, jailer, and other officers assisted in questioning the suspects.

Ham had had other sentences besides the 20-year stretch for robbery he was doing when he said he escaped from the chain gang but when the time came to sentence him he denied previous convictions. The authorities,

Warrants were issued yesterday afternoon in the following cases: Arelious Bivins and Willie Callahan, second offender, counting the chain burglary of a Swift Packing Company railroad car in the rear of the plant Oct. 13, one side of meat missing.

NEGRO BOY WOUNDED FLEEING FROM POLICE

A 12-year-old negro boy was shot and slightly wounded by police yesterday when, according to the officers, he ignored their commands to halt. Another negro boy is him escaped.

The negro boy identified himself as Jesse James Wright. He was treated at Grady hospital for a slight bullet wound of the left leg, and then sent to the juvenile detention home on a charge of suspicion of burglary.

R. D. Harkless and Bivins, larceny of candy from the McKesson-Riley loading platform Oct. 5; George Daniels, larceny of candy According to Radio Patrolmen W. from Jake's potato chip truck in M. Richards and W. F. Densmore, the rear of Silver's Oct. 12.

Sausage Theft Revealed two negro boys were seen at about 6 o'clock yesterday morning in front of

Daniels, Harkless and Bivins, larceny of one case of butter and one approach, both ran. case of sausage from an Armour truck in the rear of Silver's Oct. 17; under a house at 678 Ponders avenue, Harkless, Daniels and Junior Coch-N. W.; coming out on the other side, burglary of a railroad car rear and still running. Ordered to halt, he failed to do so, and a shot was fired of the Swift Packing Company, Oct. 13, with no goods being taken.

Rubin Lamar, Willie Leek, Idus Cox, Willie James Robinson, alias Roberts, larceny of five boxes of tobacco from a Southern railroad car in the yards here Oct. 26.

Cox and M. W. Glover, larceny of one package of tobacco from Kingman and Everett, Inc., Oct. 5; Harkless and Daniels, larceny of candy from the Liberty Candy Company, Oct. 12.

Other Burglaries Solved

Lamar, Willie James Freeman and Willie Thomas, larceny of 50 cartons of cigarettes from a Southern railroad platform Sept. 30; Leek, Emmitt Dell and Curtis Jones, burglary of the Macon Cigar and Tobacco Company, where 20 cartons of cigarettes were taken, on Oct. 11.

Lamar and Freeman, larceny of one case of stuff from Dean's grocery truck at Mulberry and Fifth, date unknown; Harkless, Daniels and Richard Benton, burglary of Lyster's store at Main and Short streets, East Macon, Oct. 13. Groceries and tobaccos valued at \$5 were taken.

The accused young Negroes are the second group to be arrested by county officers recently in connection

AFD 89 1005

Court Costs

IN A RECENT case tried in the Municipal Court in DeKalb County a negro house servant was accused of having pilfered five dollars from the purse of a woman who was a guest in the home of her mistress, and one dollar from the purse of another guest. In addition, she was charged with having stolen a small quantity of table linen and clothing. The total value of the goods stolen was, it was testified, about eight dollars, the six in cash making the total loss fourteen dollars.

The maid was found guilty by the jury after three or four hours of hearing testimony, arguments by attorneys, a statement by the woman in her own defense and the charge of the presiding judge. All because Dennis Redwine, 40 year old unemployed father of three, was beaten and jailed last week by white clerks in a A. & P. grocery store located in a Negro residential area here, citizens resorted to picketing and demanded that colored clerks be hired by the nationally known firm.

Police stood guard outside the store with drawn sawed-off shot-guns and radio cars cruised the neighborhood although no signs of violence marked the economic siege against the store. The second night the estimable women required to come after picketing began, several men into court, probably for the first time in garbed in Ku Klux Klan regalia of white sheets and wearing hoods their lives, to testify against the maid. Two days and a half they had spent sitting through tiresome and trivial trials waiting for the one in which they were interested to be called.

It was a case, it was said, palpable to all of those who attended, that should have been ended with a quick guilty plea and sentence and at almost no comparable cost to the citizens of the county. Some way might be devised to arrive at this end.

In many of the lower courts a saving in court costs has been achieved by using juries of six men instead of twelve, and application of this principle to all misdemeanor cases not involving moral turpitude might entail a tremendous saving for the state as a whole.

The situation is one to be studied intently by the gentlemen who make our store officials would not prosecute

laws and those eminent barristers who are conducting an extensive study of codes with a view of recommending many changes in the jurisprudence of the state. Naturally, the American principle of com-

plete fairness to a defendant should be held in the same time a keen recognition should be bestowed on the rights of the taxpaying woman who was a guest in the home of her mistress, and one dollar from the

Court Costs

laws and those eminent barristers who are conducting an extensive study of codes with a view of recommending many changes in the jurisprudence of the state.

IN A RECENT case tried in the Municipal Court in DeKalb County a negro house servant was accused of having the same time a keen recognition should be safeguarded to the fullest extent, but at the same time a defendant should be held to the same standard of fairness as the plaintiff.

filtred five dollars from the purse of age bestowed on the rights of the taxpaying woman who was a guest in the home of others who foot the bills of expensive trials her mistress, and one dollar from the verdicts in which are foregone from

purse or another guest. In addition, she was charged with having stolen a small quantity of table linen and clothing. The total value of the goods stolen was, it was testified, about eight dollars, the six in cash making the total loss fourteen dollars. The maid was found guilty by the jury.

after three or four hours of hearing testimony, arguments by attorneys, a state-

ment by the woman in her own defense and the charge of the presiding judge. All cause Dennis Redwine, 40 year old unemployed father of three, was ^{erroneous} sentenced by the assistant solicitor of the court, about sixty dollars. The maid was located in a Negro residential area and found guilty quickly and sentenced to two years' imprisonment, probably a just sentence because of her past record.

But the most striking point in the case was the vast grinding of the wheels of justice, the cost to the citizens of the county, violence marked the economic siege the sacrifice of three days of their time by the estimable women required to come after picketing began, several men into court, probably for the first time in garbed in Ku Klux Klan regalia of their lives, to testify against the maid. Two days and a half they had spent sitting through tiresome and trivial trials

Atlanta—(ANP)—Aroused by concern for the man in which she was accused Dennis Redwine, 40 year old Negro father of three, was ^{erroneously} sentenced to two years' imprisonment by the A. A. C. clerks in a A. & P. grocery store the A. C. here, citizens resorted to picketing pointed and demanded that colored clerks be hired by the nationally known firm. Police stood guard outside the side entrance to the store with drawn sawed-off shot-guns and radio cars cruised the neighborhood although no signs of satisfaction were visible. The second night out, Negroes, dressed in white sheets and wearing hoods, ransacked by the store in automobiles. Hayes, after circling the block several times they drove on.

Starts Over Sugar

~~Atlanta's Picket Store as Clerk Beats Jails Customer~~

~~POLICEMAN SHOOTS SMALL BOY~~

the case.

Organization Takes It Up

The ever-ready pistol in the hands of reckless policemen generally proves disastrous. It is necessary for all officers to be armed, more as a matter of protection than apprehension. Because of his necessity, it is necessary for all officers to be armed, more as a matter of protection than apprehension. Because of his necessity, it is necessary for all officers to be armed, more as a matter of protection than apprehension. Because of his necessity, it is necessary for all officers to be armed, more as a matter of protection than apprehension.

Conferences were held with B. F. Vinson, vice president of the A. & P. Irons, and the A. M. E. and Baptist Ministerial unions in their weekly meets, April 1, 1937, to point out the need of appointed committees to investigate police work, the occurrence with a view to taking stock the twelve year old boy would not have been shot down as would be a mad dog or side citizens demanded Negro clerks a limited animal. As boys will, this child to replace whites. Vinson, though was loitering in a certain neighborhood, and not promising definitely he would as wont by these boys, upon the appearance to this, hinted he was confident a satisfactory solution could be worked out of an officer they will scamper away. With out a more serious cause, the policeman in higher ups is called to this matter and every effort should be made to secure a

Negroes for the most part heeded trying to arrest the boy, shot and struck him he pickets. One of the few who with the result the boy had to be sent to the students. All came out laden with was not even reprimanded for his cowardly groceries. Principal C. L. Hart action, but allowed to go free, thus encouraged Hayes, teacher at the Washington high school, who took in a group of entered anyway was Miss A. D. hospital. From reports nothing has been done to the policeman and, no doubt, he was and every effort should be made to secure a

Starts Over Sugar The trouble began over a sack of sugar which Redwine, on relief, stat. September 1, 1863, had taken from the grocery store of those who attended, that should have been ended with a quick snifter plea and cashier for purchase as many stores "indiscreet," of Washington.

been enacted with a quick summary process and sentence and at almost no comparable cost operate on a "serve yourself" basis. Edward Grainger, white clerk who was discharged after the incident, was held by Grainger and two other clerks until police arrived.

Arraigned before Judge Cone in juries or six men instead of twelve, and application of this principle to all misdemeanor cases not involving moral turpitude might entail a tremendous saving for the state as a whole.

city court, Redwine was held to the grand jury in bonds of \$200 charged with simple larceny after arresting officers testified the prisoner was intoxicated at the time. It was in

The situation is one to be studied in-intimated, following the picketing, tentatively by the gentlemen who make our store officials would not prosecute.

Most of Them Prefer Chair to Chain Gang,



"gang," the Fulton Towers prison trusty told Sasha Small. These human beings, living a life of torture, were photographed a few miles from Americus, Sumter County, Georgia.

**Labor Defender Editor Visits Place of Torture
Living Death Where Georgia Rulers Would
Send Angelo Herndon, Leader of Jobless**

(EDITOR'S NOTE: Sasha Small, editor of the Labor Defender, official organ of the International Labor Defense, has spent the past two weeks in Georgia and Tennessee. She saw chain-gangs at work, inspected prisons, visited the relatives of the Pisgah boys, interviewed important Southern officials and observed at first hand the conditions of the Southern workers while ~~and~~ ^{white and black}. She has recorded what she saw in a series of articles. In this article, the first of the series, she tells of her visit to the Atlanta city stockade and to Fulton Tower Prison, where Angelo Herndon was confined.)

By Sasha Small

horrors hangs like a sword over the heads of the Negro and poor white population of the state of Georgia. The authorities see to it that it is poised perilously low all the time—either far-off highways in outlying country streets or from the city streets. I saw them right on the stockade. Their offenses are minor, keep the streets of Atlanta. Human beings, classed as misdemeanors—drunkenness, brawling in the streets, staying out late at night. Armed guard, but wearing the same filthy, ragged, striped suits, the same heavy chains, the same spikes stockade where these men sleep at night. The gangs that work out on the night ~~drinking~~^{driving} me through fear hideous sounds. Asked him, "boutigo the

Most of the men serving time in Big Rock Jail are awaiting shipment to the chain-gang or to the electric chair. From all that I heard and saw after my visit to Big Rock, I can now easily understand what the trusty meant when he said:

"Yes, ma'am, most of them 'ud rather go to the chair than to the chain-gang."

Body of Woman Found in Ruins

Sheriff Says Negro School House Fired to Hide Crime

GRiffin, Ga., Aug. 19 (AP)—A coroner's jury today returned a verdict that a white woman whose body was found in the ruins of a burned Negro school house near here had been "killed by persons unknown." Deputy Sheriff S. D. Corley of Spalding county said the fire apparently had been set to conceal the crime. The body was so badly charred that identification was impossible at present. Corley said.

The building destroyed was the Mount Pleasant school for Negroes, two miles north of Griffin.

Near the ruins officers found a woman's ring and other trinkets. A pool of blood at the same spot indicated, they said, that the victim had been dragged from an automobile there before being placed in the school house.

NEGRO TRUSTY DIES OF WOUND FEW DAYS BEFORE END OF TERM

ITHACA, N. Y.

Prisoner Keeps Stabbing by JOURNAL

Woman Quiet Until Blood

Poisoning Sets In

Telegraph

Robert Shivers, Negro trusty in the Bibb county jail, died yesterday in the Macon hospital, of a knife wound received less than a week before he was to have finished a 12-months term for violating the state prohibition law.

T. J. McCommon, county jailer, said last night he had made a thorough investigation and that a Negro, John Bryant, was being held in jail on a charge of stabbing in connection with the case.

The jailer said Shivers had been sent to the basement of the courthouse to deliver some market baskets in which visitors had brought gifts to prisoners. Witnesses said the Negress asked him for a dime which he had in his hand, and that when he refused to give it to her she stabbed him in the leg.

That happened on Sunday, Sept. 29, but the Negro made no report of his injury until the following Tuesday, a week ago yesterday, when the leg began to pain him.

Dr. T. A. Hurley, county physician, examined and treated the wound that day and when the infection became worse the following day, ordered the prisoner carried to the Macon hospital, where he died yesterday of blood poisoning.

Mr. McCommon last night described Shivers as a "good Negro" and said his investigations had shown that the trusty was carrying out the duties assigned to him at the time of the alleged stabbing.

Coroner Lester H. Chapman said last night an inquest would be held in the case, but that no advantage they bring to officials, sheriffs, details had been arranged. Shivers' sentence, for a liquor law violation, ran out last Friday.

In general the southern states have always lagged behind the rest of the country in the outward manifestations of civilization. Lynching, backward education, high illiteracy, economic exploitation of the weak, all find their most frequent illustrations in the South and more particularly in the Deep South.

"We offer the services of the American Prison Association to those people of this (Georgia) and other states who do not believe in the inhuman treatment of prisoners and are seeking to abolish it," reads the resolution adopted by the Association.

The truth back of the atrocious prison conditions in the South lies in the economic advantages they bring to officials, sheriffs, wardens, etc., and to certain exploiters. To abolish the system, however, will require a considerable development of the southern conscience.

Georgia papers please copy.

DAYTON, O.

NEWS

NOV 8 1935

Brutal Punishment

The American Prison association could not have chosen a more appropriate city for its recent conference than Atlanta, where the state of Georgia makes its laws. Nowhere is there greater need of prison reform than in the prison camps of the south; those of Georgia have been in particularly bad odor.

It is to the credit of the association that it had the courage to speak out against the evil under its nose. Gov. Talmadge calls the chain gangs of Georgia "the most humane way" to treat prisoners, but the association contradicts him with vigor. The chain gangs, it flings at Georgia as a parting shot, are "utterly inconsistent with the dictates of humanity." It is ready to help fight them wherever they exist.

The brutality and depravity of the prison camps of the south form the ugly story which organizations for the improvement of our penological system have long been telling. In Florida a sheriff himself went to prison for the "sweatbox" murder which occurred in a prison camp under his supervision—one of the few instances in which such a crime has been punished. In another southern state recently officials were acquitted of having wilfully left two Negro prisoners in shackles until their feet froze, necessitating amputation. After the revelation of cases like these, public opinion will not agree with Gov. Talmadge.

The Georgia executive has also indorsed the whipping post. Even the Wickersham commission, which several years ago could propose no better solution than that for our crime problem, reported that "instead of cowering one man, repressive rules and tortures have aroused a hundred to greater hatred and discontent." In Delaware, the one state which retains flogging as a punishment for a number of offenses, Warden Leach finds that the whipping post, instead of acting as a deterrent, more than ever embitters the convict against society; the wielder of the "cat" sees many a face familiar from previous beatings.

The American Prison association does well to remind us that an age which calls itself advanced should discard medieval tortures for enlightened methods.

Georgia

Crime 1935

NEGRO FACES TRIAL

IN STURDIVANT CASE

WASHINGTON, Ga., Aug. 10.—

(P)—Charged with murder in the

death of police Chief H. A. Stur-

divant, a negro looked as Tom Booker,

has been bracketed for trial Wednes-

day in Wilkes county superior court.

Sturdvant, a brother of Police

Chief R. O. Sturdvant of Atlanta

police, was fatally injured in the

tacked Governor Talmadge, of Georgia,

night of July 4, when he was hurled

from the running board of an auto-

mobile in which he was bringing a

group of negroes to jail.

BOOKER IS INDICTED

IN STURDIVANT CASE

WASHINGTON, Ga., Aug. 6.—

The Wilkes county grand jury today

indicted Tom Booker, negro, for the

murder of Ken A. Sturdvant, Wash-

ington chief of police.

Chief Sturdvant was attempting to

arrest Booker on the night of July 4.

Boarding the running board of the

car to make the arrest, the negro

had the motor running, and threw it

in gear, dashing madly down the

street and running into a car, throw-

ing Chief Sturdvant off and inflict-

ing injuries from which he died some

days later.

Booker escaped but was caught the

following day by Sheriff G. H. Lunee-

ford and his deputies. The case prob-

ably will be tried this week.

GANG SYSTEM HIT

BY PRISON GROUP

Chain Gang Condemned at Closing Session of As- sociation Convention.

The American Prison Association yesterday condemned the chain gang in Georgia and other states as "utterly inconsistent with the dictates of humanity" during a spirited meeting at which the organization defeated a resolution asking President to take a hand in abolishing the system.

The association's action was taken at the close of its 65th congress here two most effective agencies of crime prevention."

The other dealing with civil service rules prohibiting probationers and paroled convicts from CCC camps and from state and federal civil service examinations.

"We offer the services of the American Prison Association to those people in this and other states who do not believe in the inhuman treatment of New York state commissioner of correction," said the resolution on chain gangs, adopted as a compromise for the ones must be operated for a profit is defeated in which Mr. Roosevelt was past."

"Society must realize that the pris-

on must be subsidized," Thayer said.

Austin H. MacCormick, commissioner of correction of New York city, and man in prison. This is saved when he is put back into society by probation or parole.

"It costs us \$500 a year to keep a prosecutor as a political ladder should be a search for truth rather than a battle of wits in which and professor of criminal law at Buf-

alo University, led the attack. "The complexities of the law are too often used to free the guilty and trap the innocent. Political trading in the American prison system."

Dr. Nathaniel Cantor, penologist of the Georgia chain gangs," he said, "are probably the most bestial elements in the American prison system."

He displayed a postcard he said was received from a chain gang worker complaining of "undue punishment due to the indifference of the Georgia Prison Commission."

Burdett G. Lewis, of Chicago, field director of the Public Welfare Association, said "with the proper system of classification in prisons you wouldn't send out 10 per cent you would have to put chains on."

"I have no use for the whipping post," he said, "it only does in a crude, external way what other methods will do much more effectively."

10-30-35

Adult Prison

10-30-35

Constitution

10-30-35

Speakers Here Vigorously

Oppose Talmadge Views

on Gang and Whipping

Post; Score Ga. Prisons.

10-30-35

Constitution

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Georgia.

Crime -1935

~~ELECTROCUTION STAY~~ ~~ELECTROCUTION STAY~~ ~~Constitution~~ DENIED TWO NEGROES ~~Constitution~~ DENIED TWO NEGROES

R. C. Whitman Named Put- R. C. Whitman Named Put-
nam Solicitor by Gover- nam Solicitor by Gover-
nor Talmadge.

4-5-35

By the Associated Press.

By the Associated Press.

Governor Talmadge Thursday de- Governor Talmadge Thursday de-
clined to stay the electrocution of Isiah Ashley, Appling county negro, who is scheduled to be electrocuted at the state penitentiary in Milledgeville, Georgia, for slaying a white man, J. W. Holton. 4-5-35

Previously the governor turned down an application for clemency in behalf of Albert Rivers, another negro, who also is to die in the electric chair Friday for conviction of criminal assault upon a 9-year-old white girl. Rivers was convicted in Screven county superior court.

The state prison commission has also turned down applications for clemency in both cases.

A lunacy commission appointed by Governor Talmadge to examine Ash- Governor Talmadge to examine Ash- ley wired the governor that Ashley was not insane. He does not recognize seriousness of offense, not in- sane," the message read. It was signed by Dr. John W. Oden, superintendent of the state insane hospital, and Dr. Y. H. Yarborough, a physician at Milledgeville.

Applications for clemency in behalf of three men serving time for forgery, larceny and burglary, were taken under advisement Thursday by the State Prison Commission.

The board heard an appeal for a paroled sentence for N. A. (Norman) Pickett, who was convicted in Clarke county of forgery in April, 1934, and sentenced to serve from two to three years. The application was filed by Joseph E. Webb, attorney.

Clemency was asked for O. R. Thorpe, who was convicted in Bibb county in January, 1933, on the charge of larceny from the house and given four years. He is serving on a Paulding county chain gang. The application was filed by Attorney J. E. Kinney. B. Stewart.

Howard Johnson asked to be paroled from a sentence from one to three years for burglary. He was convicted in February, 1934, in Spalding county.

Governor Talmadge has appointed R. C. Whitman as solicitor of the county court of Putnam to fill the unexpired term of E. J. Summerour Jr., who resigned recently. The term expires January 1, 1937.

*pires January 1, 1937.

TWO NEGROES FACE EXECUTION FRIDAY

Unless the governor grants a reprieve, two Georgia negroes will be electrocuted at Milledgeville Friday, for the state prison commission has declined applications for clemency in both cases. 4-3-35

The doomed men are Albert Rivers, who was sentenced after his conviction in Screven county last May on a statutory charge, and the other, Isiah Ashley, alias Breedee, who was convicted in Appling county for murder last June. Ashley was sentenced to die for the slaying of J. W. Holton.

The prison commission declined applications for clemency on February 5.

The prison commission took under advisement an application for commutation to life imprisonment.

for the death sentence imposed on Will Sam Grimes, of Weston, Ga.

Grimes, a negro, was convicted in the Webster county superior court in February, 1933, for the death of J. J. King, a Weston merchant, who was slain in his store in January.

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nize seriousness of offense, not in- sane," the message read. It was signed by Dr. John W. Oden, superintendent of the state insane hospital, and Dr. Y. H. Yarborough, a physician at Milledgeville.

They had dispersed a crowd of negroes when Jordon leaped from behind a bush and fled down the street. Chupp called on the negro to stop. Chupp reached for his hip pocket, Chupp reported. Chupp fired into the air.

Fearing the negro had a gun, Chupp fired one shot at him, the bullet striking the negro in the head.

The negro ran nearly a block before falling. He was taken to Grady hos-

pital, where he was pronounced dead on arrival. No gun was found on Jordon, but officers are making a search of the block in the belief the negro threw the gun away as he ran.

Woman Wounded in Back By Shot of Negro Youth

Mrs. Annie Kent Allegedly Fired Upon From Ambush While Picking Black Berries; Father of Boy and Victim Unable to Explain Shooting

chase but decided I had better get my wife to the hospital, so Mr. Goldsby chased the Negro."

Meanwhile, Mr. Holt found young

young white woman of 1337 Edge- wood avenue, was treated at the Holt's father, and the elder Holt

Macon hospital late yesterday morn- ing and county officers held Jonnie Lee Hoke, 14-year-old Negro of 145

that his son had fired the shot, he said.

Soon after the shooting Officers

J. C. Calhoun and A. A. Raley found the Negro youth near Tamworth and placed him under arrest.

No bond had been made last night.

While Mr. Kent declared he believed the shooting intentional, he contended that the shooting was accidental.

Mrs. Kent received emergency

treatment for a bullet wound in the small of the back and was dismissed

to her home early last night when X-ray pictures revealed no serious

injury. Physicians found no trace of the bullet in the wound.

Louis M. Kent, railroad employee and husband of the wounded woman, related that he had seen the youth lurking behind them as they walked into the swamp picking berries, en route to a spot where he and his wife and B. W. Goldsby Macon man, and his young woman companion planned to have an all-day fishing party.

Ducked Behind Tree

"He was some distance behind us," Mr. Kent reported, "and when I looked back I saw him duck behind a tree. But I did not think much about it and we continued to walk through the swamp, the women walking along behind us."

Just as they entered a thicket, the railroad man continued, he heard a sharp report and heard his wife scream.

"Something stung me," Mrs. Kent cried as she ran toward her husband.

Thinking that his wife was the victim of a hornet Mr. Kent looked for the wound. He saw a hole in her dress and blood stains.

No Motive Seen

"Then I knew that the report I heard was a rifle shot," he said, and when I looked up I saw the negro running. I started to give

Mr. Nash, on the other hand, con-

tinued that he had been given an authority by Colbert to make him a plaintiff in the fi fa action.

NEGRO GETS OUT OF TAX DISPUTE

Judge Jones Sustains Motion Concerning Action Against City of Macon

Judge Malcolm D. Jones of su-

perior court yesterday sustained a motion in which J. V. Colbert, Negro,

asked that his name be stricken from a list of plaintiffs in an action

brought against the city of Macon and the Interstate Bond Company in

connection with tax fi fa transfers.

Action of the court came at the conclusion of a short hearing at 2:30

p.m. in which Colbert claimed that he had not given permission for his name to be used, that a fee of \$10

to be used in payment of attorneys fees had been requested of him by Charles E. Nash, tax adjuster, who has had considerable litigation with

the city, that he did not make the contribution and that he had no knowledge that he had been made a plaintiff in action.

In his petition, that he discovered inclusion of his name in the fi fa action when he sought to pay off a fi fa held against him by the Interstate Bond Com-

pany, which declined to accept the money because of a restraining order.

Ed F. Taylor represented Colbert, while Mr. Nash's counsel was the firm of Park and Strozier and Walter T. Johnson.

Negro Convicted By White Jury Is Denied Freedom

ATLANTA, June 12.—(P)—A negrovision is very largely peopled by negroes. The danger or hazard involved in the Atlanta Federal Penitentiary today was denied his release after he presented a petition for freedom in Federal Court based on the Supreme Court decision in the Scottsboro Ala., case.

The negro, Carlos Cartino, given a five-year sentence in Federal Court at Birmingham, Ala., March 5, 1934, for stealing ~~motor~~ freight, contended he is a member of his race. He cited particular is alarmingly high. From the decision of the ~~Supreme~~ Court in every point of contact, negro life is the Scottsboro case and said there were made relatively cheap. As long as officers can shoot a fleeing negro in the back in self-defense and be exonerated, negroes will be tempted to take each other's lives on the slightest pretense, since negro life is of so little consequence in the eyes of the law. The number of negroes who commit crimes of different character and completely escape apprehension is very large.

As long as negroes are identified in this manner with all types of crime, crime can never be stamped out of the city of Atlanta through white officers alone. It has become of historical acceptance that wherever negro policemen have been employed the percentage of crime among negroes has been radically reduced and the percentage of arrests of negroes for committing crimes has been correspondingly increased. In the states of Texas, Florida, Tennessee, Kentucky and Oklahoma, there are many cities employing negro policemen. A great many people have offered as a reason for not employing negro policemen and plainclothes detectives in Atlanta, that Atlanta is in the south. Such persons are undoubtedly ignorant of what is being done in other cities in the south. You can't go any further south than Tampa, Fla., unless you step off in the Gulf of Mexico. In the last analysis it isn't a question of geography, it becomes a question of social justice.

Another negro, George Irby, went on trial yesterday before Judge Davis in connection with a claim against the power company. His trial will be concluded today.

URBAN LEAGUE WEEKLY BULLETIN

By JESSE O. THOMAS.

The office of the solicitor and members of the police force have been very much exercised in the attempt to wipe out the "number racket." The four major crimes that seem to engage the attention and concern of most of the law enforcement machinery are bootlegging, "numbers," burglary and murder. None of these crimes seem to emphasize interracial distinction. As a matter of fact, there is more co-operation and understanding between the destructive element of the two races than is correspondingly true of the constructive element. The negro and the white man who may be strangers in other departments of their culture, become partners in crime.

Take the "number racket" as an illustration: It is well known to the police department and the solicitor's office that the higher ups in the number game are not negroes. There may be one or two negroes occupying fairly prominent positions in the business, but the real "number bankers" are not negroes. The negro undoubtedly has his quota of "number writers" and players who are in close and intimate contact and co-operation with the

white overlord and pick-up men. The bootlegging industry represents only in the interest of crime reduction admitted to the bar several months ago. She is a daughter of Robert Rogers, Bibb deputy sheriff.

There are a few small distilleries controlled by negroes, but the real whole-payers who support our government, It was Miss Rogers' first "big

sale bootleggers are not negroes. The majority of negroes connected with the bootlegging industry are retailers who are working in closest co-operation with the manufacturers, who are not negroes. That is, the outpost di-

ment and plainclothes detectives not the case by Oliver C. Carter, was

a parallel to the "number racket," but in the interest of citizenship ago. She is a daughter of Robert

Rogers, Bibb deputy sheriff.

rights that are due any group of tax-

ers that are due any group of tax-

Crime-1935

Georgia

Libel Suit Filed

By Negro Friday
Telegraph

Seeks \$2,500 Judgment Against
E. Tris Napier

1-26-35

A petition seeking a \$2,500 judgment against E. Tris Napier for libel, credit damage, attorney's fees and punitive damages growing out of alleged extortion from John Jordan, Negro, was filed in city court yesterday afternoon.

Attorneys of the Negro—the law firm of Smith and Smith—allege in the petition that Mr. Napier and the company of which he is sole stockholder secured payments from the Negro \$172.45 in excess of a \$662.99 loan made March 9, 1928, and then advertised the plaintiff's property which had been mortgaged to secure the original debt.

Advertisement of the property forced Jordan to employ legal counsel, his attorneys allege, and constituted libel, damaging the Negro's credit and forcing him to incur attorneys' fees.

Macon, Ga., Telegraph
January 24, 1935

CRIME AMONG NEGROES

To the Editor of The Telegraph:

It is alarming to see just how many crimes are being committed in our group. Last year there were thirty-seven murders, homicides and suicides in Macon and Bibb county. The murderers consisted of men and women of almost every age. Human beings were cut and shot down as though they were no more than animals. Just a few days ago three persons met death as the result of cutting and shooting affrays.

It is clearly demonstrated that the officers of the law, alone, cannot cope with this situation. Ministers, religious teachers and all social organizations will have to blend their forces to quell the spirit of bloodshed.

It was once said that all of these crimes were committed by the basely ignorant of our group and it is a fact that a major part of them are those who have a low degree of intelligence and yet some of them consist of what many call the trained people.

Something has gone wrong with my group for the last two decades and the time has come as stated above, when race leaders must bestir themselves to save our people from the mighty fall for which we are headed (without a change).

We hear much about organizations for bread earning. The whole country is stirred over this thought but it should not be forgotten that no race of people can be saved by bread alone. It is to be admitted however that poverty, hunger, and ignorance do lead to crime and unless we have moral and spiritual development along with

our material and intellectual attainment, we are lost, world without end.

The very youth of today is filled with the idea of crime. Let us repeat with emphasis that there is no hope for any individual or race that loses its moral standard and disrespects God and the holy Sabbath.

May God send a holy statesman to lead us out of this chaos.

J. T. SAXON.

Macon, Ga.

PENSIONS AND COVETOUSNESS

Macon, Ga., Telegraph
January 24, 1935

Slum Clearance and Crime

J. T. Saxon, one of the most thoughtful and useful leaders of the Negro race in this section, has an important communication in the letter column of The Telegraph today. The letter is written around the stories of murders, homicides and suicides among his people during the past year—thirty-seven in number, and involving as he says Macon men, women and children of varying age.

The killings referred to were purely racial, Negro against Negro.

What can be done about it is the important question. The Negro by nature is a peace-loving, friendly individual, unless improperly environed. He is a great imitator, and he has striven to emulate the white race, whether this was always wise or not. A bad white man can lead him astray as easily as a good white man can influence him in the right direction. The responsibility of the white race is therefore instantly apparent. The example is important.

Unfortunately for all of us the white man's environment is not always ideal, and the lessons he learns are not altogether wholesome. The Negro learns some lessons from white people that might have gone unlearned.

Thinking along this line was doubtless the cause of the slum-clearing dreams of President Roosevelt. In the slums or in degraded surroundings the submerged tenth of human society ekes its reckless, irresponsible existence; and from there its influence spreads until the higher strata of society feel the effects. Even a drop of impurity is not good for the bucket of water; and human society is inter-related. No one lives entirely apart. The impure hurts beyond cure. The good water cannot make the bad water good. But the bad water can make the good water bad.

Probably nothing nobler was evolved from

the New Deal than the effort to replace the slums with fit habitation for man. Back alleys and dives and hovels all go with the slums. Right here in Macon thousands live in circumstances and surroundings that are unworthy of civilization. From those places come thousands of young people who regard the constructive and peace-promoting forces of society as their natural enemies.

As long as slums thrive crime will be with us; and probably longer; but the first cause is environment.

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J. T. SAXON.

Macon, Ga.

Negroes Get 20 Years In Atlanta Robberies

Craymon Doylin and James Mills, negroes, were given 20 year sentences Friday by Judge C. W. Walker when they pleaded guilty to four counts of robbery.

The negroes admitted holdup robberies of Pete Mitchell, an employee of Fulton Bakery Company; R. L. Goodman, Dr. W. S. Belvoir and C. R. Williams, in which small amounts of cash were obtained. The holdups occurred during the Christmas holidays.

THREAT TO TALMADGE LANDS NEGRO IN JAIL

William Elbert White, a 38-year-old negro, was arrested Monday morning by detectives who charged him with being the author of a threatening letter which was sent to Governor Talmadge February 6.

Trial of White was postponed until this afternoon because of the inability of Assistant General Lindley W. Camp, representing the governor, to appear in recorder's court Monday afternoon. Detectives booked White on a disorderly conduct charge. They said he wrote the letter threatening and criticizing the governor and signed his brother-in-law's name to it. The handwriting was identified as White's by the negro's wife, it was said. Detectives J. J. Chester and Bill Holland made the arrest. White denied he sent the letter.

NEGRO IS FINED

IN ASSAULT CASE

Johnnie Walker Found Guilty of Striking White Man Near Broadway Dive

Described by police as a "bad" Negro, Johnnie Walker, of Philadelphia and 122 Paradise alley, was companion in the car with him when heavily fined in recorder's court yesterday as a result of an alleged assault on Joe Modena, white man, and the two men pulled him out of the car and attacked him.

Eight other Negroes arrested in a police raid at an alleged Negro "dive," 121 Broadway, were also fined.

Pearl Brown, Negress, alleged operator of the "dive" obtained continuance in her cases until to Stewart and John I. Beck raided the house, rounding up 11 men and women.

Recorder M. Felton Hatcher commented the officers for "cleaning his pocket and, expecting him to bring up one of the worst dives in Macon."

Mr. Modena and other white residents of the neighborhood said that loud curses and shouts from Negroes that large crowd of Negroes congregated in the Brown woman's house each night kept them awake until about 4 a.m.

While Mr. Modena and two women were in a car in front of the Modena residence Walker and some

other Negroes passed, speaking loudly, cursing and using "disgraceful language," it was testified. When Mr. Modena warned the Negroes against such conduct Walker turned on him, struck him on the face and put his arms on his neck, Mr. Modena said. The white man was not seriously hurt.

Officers said that they had to beat Walker on the head with blackjacks to subdue him. Walker's fines on charges of disorderly conduct, resisting arrest and loitering in a dive, totaled \$37.25 or 75 days. The other Negroes were fined \$10.75 or 21 days for loitering in a dive.

MAN IS ATTACKED, NEGROES IN JAIL

Modena Assaulted Near Broadway Home; Accused Assailant, 10 Others Are Held

An alleged assault on a white man by two Negroes last night led to a wholesale raid by police and detectives on a Broadway Negro house, 11 arrests and the docketing of 13 cases, including operating and loitering in a disorderly house, disorderly conduct and resisting arrest.

Johnnie Walker, Negro giving his address variously as Philadelphia and 122 Paradise alley, was identified by Joe Modena, white man, as one of those who beat him. Walker, in allegedly resisting arrest, was beaten on the head and treated at the Macon hospital, two stitches being taken in a laceration.

The other assailant is thought to have escaped before police raided. These 13 cases brought to 19 the days number docketed by the desk sergeant between 8 and 9 p.m. last night.

Mr. Modena reported to police that he was parked in front of his house, 154 Broadway, with a woman companion in the car with him when two Negro men and two Negresses came out of an alley nearby, using profane language. He told them to get out of the car and the two men pulled him out of the car and attacked him.

All four then ran into a house occupied by Pearl Brown, Negress, of 121 Broadway, he reported, taking his hat with them.

Pearl Brown, Negress, alleged operator of the "dive" obtained continuance in her cases until to Stewart and John I. Beck raided the

house, rounding up 11 men and women.

They said Walker reached for necessary tools for this wonderful operation. When a heart-stabbing diagnosis is made, the surgeon's implements are all ready, arranged in this container and speak.

For some of the negroes alive today had stabs more than an inch deep in the center of the heart when they were placed upon Grady's operating table.

Two Knife Victims Alive at Grady NEGROES SURVIVE After Delicate Heart Operations HEART OPERATIONS

By RALPH T. JONES

There are two men in the same ward at Grady hospital, Negroes, who have been stabbed through the heart. The wounds have been sewn together and chances are both will live. If they do they will join four other

fines on charges of disorderly conduct, resisting arrest and loitering men who have undergone the same stabbings in the heart have about experience and who are walking about Atlanta, going about their daily routines today, thanks to the skill of two Atlanta surgeons.

One of the two men in Grady today, John Lawrence, negro, is practically recovered now. He was stabby, ran all the way to the hospital, stabbed some days ago and collapsed only after he reached the outer room of the clinic. Consciousness is restored by the use of adrenalin and other heart stimulants. The patient remains conscious and feels little pain until he is on the operating table and goes under the anesthetic.

The other, Warner Green, negro, stabbed late Sunday night and operated on at midnight Sunday, may or may not live. Monday afternoon when asked how he felt he answered "good," but his voice was a mighty weak whisper.

Six Cases Still Alive. Since this method of closing cuts actually in the heart has been performed, 11 such cases have been treated and six are alive today. The first ten by the transfusion method, to lessen weakness from excessive loss of blood.

Johnnie Walker, Negro giving his address variously as Philadelphia and 122 Paradise alley, was identified by Joe Modena, white man, as one of those who beat him. Walker, in allegedly resisting arrest, was beaten on the head and treated at the Macon hospital, two stitches being taken in a laceration.

The other assailant is thought to have escaped before police raided. These 13 cases brought to 19 the days number docketed by the desk sergeant between 8 and 9 p.m. last night.

As one of the surgeons explained it, if the stabbers would only sterilize their knives before using them practically all cases could be saved—provided they reached the operating table at Grady hospital quickly enough.

All Cases Negroes.

All 11 cases so far have been negroes. Not because the same operation is not available for white people stabbed, but because there hasn't been a white case with a stab wound in the heart since the operation was perfected.

Stabbings among negroes run probably 25 to 1 in proportion to those among white people. And, of course, it is in only a certain percentage of knife wounds the heart is penet-

red. There is a special canvas container at Grady containing all the fiction in which it is taken for granted that a stab in the heart is necessarily fatal, remember Grady hospital and don't believe that all fits the burglary charge, but said that

the surgeon's implements are all ready, arranged in this container and speak.

For some of the negroes alive today had stabs more than an inch deep in the center of the heart when they were placed upon Grady's operating table.

Atlanta Surgeons Have Operated on Six Men Suffering From Knife Wounds

ATLANTA, March 6. (P)—Six

surgeons said Monday that all

stabbings in the heart have about the same diagnosis. The victim

doesn't feel any pain and goes

alive today, thanks to a surgeon's

skill with the needle.

The sextet survived delicate heart operations performed at Grady hospital. Five others have died following similar operations since the first case was reported in 1928.

Warner Green is improving after having his heart sewed up. He is conscious and feels little pain until he is on the operating table and goes under the anesthetic.

Blood Is Saved. Then the heart sack, the container in which the heart proper beats, has watch and cigarettes when he was to be opened. This is generally full of cut.

blood which has spurted from the Doctors at the hospital said of the

wound in the heart proper. It is five deaths only one resulted from

infection because the knife with which his thumb until he can get the

to allow entrance. Blood is taken from the sack around the heart and caught in a glass container for in-

jection into the patient's blood stream after the operation.

After sewing the wound in the heart, the heart sack is closed by the preliminary stitch which was used merely as a sort of "anchor," is taken out. The heart sack is then sewn together again, the flesh is replaced over the wound, the outer skin is sewn and, barring that constant peril in the center of the heart.

Except for loss of a piece of rib bone the patient is as good as new. Some of the negroes going about their routine today had deep stabs in the center of the heart.

"Anchor" Stitch Removed. After the wound is sewn together, the preliminary stitch which was used merely as a sort of "anchor," is taken out. The heart sack is then sewn together again, the flesh is replaced over the wound, the outer skin is sewn and, barring that constant peril in the center of the heart.

Vernon Revelle, 56-year-old negro, was given a four-six-year sentence in Fulton Superior Court Wednesday when he pleaded guilty

before Judge G. H. Howard to burglary of a cake of scouring soap, a scrubbing brush and a can of sardines. The negro pleaded guilty to breaking into the store of C. L. Alexion at 185 Washington street and was given a similar sentence.

Soap, Brush, Sardines Cost Negro Four Years

Crime - 1935

COURTROOM RIOT IS FATAL TO ONE

Telegraph 3 to 35
Fifty Negro Cultists Face Murder Charges as Result of Brawl in Chicago

CHICAGO, March 5 (P)—Fifty Negro cultists who participated in a riot in women's court faced murder charges tonight for the death of a 73-year-old police official.

Judge Edward S. Scheffler, in whose court room the battle raged for 15 minutes, ordered evidence gathered preliminary to the seeking of murder indictments as a result of the death of Capt. Joseph Palczynski.

The possibility of another fatality loomed. Bailiff Phillip Brankin, 29, was in critical condition at a hospital, a bullet in his right lung. Two members of the "Allah Temple of Islam" also suffered bullet wounds. King Shah, 38, was shot in the shoulder and Zack Hassan, 32, in the foot. A score of cultists suffered cracked heads and contusions at the hands of patrolmen and detectives. A dozen officers and bailiffs were scratched, bitten, kicked and cuffed before they could toss the 31 women and 17 men rioters into cells.

Trouble Started By Women

Nine of the women members of the "Moorish order," wearing red hats adorned with crescents, were haled into court for participating in a quarrel. Judge Scheffler ordered a recess. The women went toward the rear of the room. Bailiffs told them to use the front door. The women objected. One of the Negro men in the audience arose and the riot started. Judge Scheffler called assistance.

Captain Palczynski, shaking off restraining hands, plunged into the melee. He fell to the floor. His physician, Dr. O. H. Berg, said later he had treated him for a heart ailment.

Detectives, high officials and policemen poured into the chamber. Windows were shattered, shots fired, clubs wielded, fists flayed, benches overturned. Authorities were uncertain whence came the pistol bullets, but Miss Ethel Schiller, a city prosecutor who witnessed the riot, said:

"Fifteen or 20 Negroes were trying to get out the rear door. Someone ordered them back. They surged forward and Bailiff Higgins tried to hold them off with his gun. They came on anyway. He had to fire. Captain Palczynski was slugged. I saw several men around him with clubs."

Illinois.

Joe's Trainer Faces Battle For Freedom

Serious Charges Follow Rumors of Fixing and Shakedown in Sensational Shooting Scrape.

FACES \$100,000 SUIT

Mother of Young Bystander Asserts She Saw Men Fire Shots that Wounded Her Child

CHICAGO, Nov. 22.—(ANP)—Jack Blackburn, 52, trainer of Joe Louis, and William Parnell, will face charges of manslaughter in connection with the fatal shooting of Enoch Houser, 69, and the wounding, seriously, of nine-year-old Lucy Cannon, action in Felony Court last Tuesday revealed.

Following investigation of inconsistent rumors that "fixing" has effected the release of Blackburn and John Powell before a coroner's jury recently, state police pressed charges of assault with intent to kill and instituted the manslaughter charge against Blackburn and Parnell.

Both were taken into custody but later released under \$10,000 bonds each. These cases were continued until December 5.

The case was continued Tuesday morning upon a motion by Assistant States Attorney Charles S. Dougherty in order that a more thorough investigation might be made. According to reports evidence has been uncovered purporting to show that the case "had been fixed". The men originally were bound over on the assault charge and released on bonds of \$1,000. The charge has now been changed to murder although Houser died from the wounds received when caught in the cross fire during the gun battle.

Blackburn and Bowman were exonerated at a coroner's inquest held by Deputy Coroner Benjamin A. Grant, its findings leaving Houser

er a victim of the proverbial "unknown parties". Records of the inquest have been demanded by the State's Attorney's office. Eleven police assigned to various phases of the case are reported to be involved in the investigation which was instituted when Sheridan, a Brusseaux private detective on the case placed his findings before the States Attorney and the Crime Commission.

Report Civil Suit

Immediately following the hearing Tuesday morning, J. C. Cannon, father of the little girl who is said to have been permanently disabled from the injury sustained in the shooting, announced that he would file suit for \$100,000 against Blackburn, Bowman, William Parnell and Dan Ellis and all others implicated in the shooting and that proceedings would start immediately.

Further developments have revealed that Mrs. Cannon, mother of the little girl was an eye-witness to the altercation. The Cannons live directly in front of the Bowman residence where the shooting was staged and she was sitting in her window during the affair.

Speaking to The Associated Negro Press Monday afternoon, Mrs. Cannon, concerning the claim that Blackburn was unarmed, stated: "I saw the shooting. I know that not only was Mr. Blackburn armed and participated in the shooting but that three men who returned to the Bowman home with him were armed and shot at Mr. Bowman. As I was looking out my window watching for Lucy I saw four men come up to the house directly in front of mine and all of them had guns in their hands and began firing at Mr. Bowman who was coming out of his house. He ran behind an automobile and using that as a shield

retumed the fire. I saw Mr. Houser die from the wounds received when caught in the cross fire during the gun battle.

Blackburn and Bowman were exonerated at a coroner's inquest held by Deputy Coroner Benjamin A. Grant, its findings leaving Houser

so I do not know just now it could be said that either of the men were unarmed or why the police could not find any weapon.

It was stated that Mrs. Cannon became confused at the inquest when she was shown a statement she made to the police and her testimony was discredited.

Brusseaux added that he had turned over to the States Attorney and the Crime Commission photographic evidence as to the devastating fire during the gun battle, including photographs of the front of the house and bullet riddled automobile.

Interest in the shooting which died down immediately after the coroner's jury exonerated Blackburn and Bowman has been revived and again rumors of "fixing" as well as of gentle attempts at a shakedown, are in the air. According to Brusseaux, "the investigation has just started. We are going to fight this thing to a finish. I have been employed by the Cannon family and I shall certainly work to the best interests of my clients."

The investigation is being made by Assistant States Attorney Charles Dougherty, who has also declared that every bit of evidence will be sifted and if a conviction is possible it will be secured and the proper punishment imposed.

He is being assisted in the investigation by Attorney Joseph E. Clayton, who formerly represented

legally to have been staged by two

men recently, in which Enoch Hous-

er, son of the slayer, 69, was fatally wounded and Lucy

Cannon, nine-year-old girl was seri-

ously injured, was reopened here

without the sanction of the House

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Everett Houser, son of the slayer, 69, was fatally wounded and Lucy

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Tuesday and again became the "topic

of the town" when Blackburn and

Bowman were charged in felony

court with assault with a deadly

weapon with intent to kill.

The case was continued Tuesday

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Records of the inquest have been de-

manded by the State's Attorney's

office.

11-23-35 PLACE POLICE ON THE SPOT; SEEK PISTOLS

Amsterdam news
Mother of Girl Shot
Says Revolver Was
in His Hand

11-23-35
BULLETIN
New York, N.Y.
Charges of manslaughter were placed against Jack Blackburn, trainer of Joe Louis, when he was arraigned in Chicago Tuesday morning and he was held in \$10,000 bond. William A. Parnell, who is said to have accompanied Blackburn when the fatal shooting of Enoch Houser occurred, was held under the same charge. John Bowman, the other party to the shooting, was also arraigned, but the charge of assault to kill was not changed.

CHICAGO, Nov. 21.—(ANP)—The case involving Jack Blackburn and John Bowman in a gun battle, alleged to have been staged by two

men recently, in which Enoch Houser, son of the slayer, 69, was fatally wounded and Lucy Cannon, nine-year-old girl was seriously injured, was reopened here without the sanction of the House of Representatives.

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manded by the State's Attorney's

Indiana.

Crime -1935

Superior Court Judge May Submit Case To Special Grand Jury Soon

BOYCOTT GROCER

Retaliate For Refusal To Tell Truth to Grand Jury Expense Drive Started

SOUTH BEND, Ind., May 31.— (Special) — Public resentment at the failure of local constituted authorities to make any gesture in the direction of justice in the alleged atrocious shooting of a helpless colored boy by a police officer is rapidly reaching the proportions of a political tornado, a survey of which shows today.

dience to the officer's command to al of Benjamin Tyczynski, the halt. The officer said he suspect- white manager and owner of a ed the car of having been stolen, grocery store, who was an eye wit-

The first wave of public indig- ness, to testify to the facts has led nation was smoothed with a prom- to a boycott by the colored people by Mayor George F. Freyermuth who practically support the store, that a thorough investigation would be made and such action warranted in the heart of a colored neighbor- by the facts developed would be hood. The boycott has been organ- ized and directed by the Sanhedron taken.

Say Prosecutor Is Prejudiced

An affidavit charging Officer Miller with voluntary and involun- tary manslaughter was signed by Lafayette Owens, uncle of the boy

slain, and presented to Prosecutor Rulison. Despite the fact it was known to him that there were fourteen eyewitnesses to the shooting, Mr. Rulison refused to approve the matter to the grand jury. Citizens reported a further offense to the prosecutor frequently referred to Owens' companion as "darky".

Economic boycott, threats of political reprisals, and manouevres to secure judicial redress are projectiles being massed for an attack. Citizens committee who sought to by an aroused public, emerged at secure a mandamus to force action the brazen refusal of the St. Joseph county prosecuting attorney George L. Rulison to present the evidence of the alleged unwarranted shooting pointed out that under the Indiana statutes the approval of a patrolman Fred Miller nearly two months ago, to the Grand jury with his approval.

First reaction to the failure of the grand jury to return an indictment was made by leaders of the county prosecuting attorney George L. Rulison to present the evidence of the alleged unwarranted shooting pointed out that under the Indiana statutes the approval of a patrolman Fred Miller nearly two months ago, to the Grand jury with his approval.

to give such approval, the affidavit becomes null and void.

Reds Active

Great apprehension is being felt by both white and colored leaders of the community over the gravity of the situation which they say is aggravated by the activity of Communists.

Numerous meetings which it is believed are designed to inflame the colored population are being staged by alleged "Reds", who are by a law enacted by the 1935 legislature to demand justice, publication of which is equality of justice.

At one meeting attended by nearly 700 persons, Communist speakers are said to have asserted during a scorching attack on white oppression of colored workers, that they (Communists) were ready to shed their blood along side of Negroes in their fight for right and justice. On good authority it was learned the great majority of those attending the meeting were heavily armed. No attempt was made by police to interfere.

Bloody outbreaks between the races are not unexpected.

Shot With Arms Raised

Fourteen eye witnesses to the shooting of Owens April 9 by Miller

are unanimous in their statements that the officer shot the youth as he stepped unresisting from an automobile with hands raised in obe-

600 Attend Benefit

foreigner was standing in the doorway in front of the store and the way at the time.

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to give such approval, the affidavit becomes null and void.

May Use Other Methods

Probability that the impasse created by the refusal of Mr. Rulison to follow what citizens call his "clear path of duty" will removed

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Stage Boycott

Feeling among colored people of the city has reached a high pitch. Their keen resentment of the refus-

Kansas.

Crime - 1935

Kansas Habitual Statute Is Upheld

TOPEKA, KAN., Dec. 7. (AP) — Three hundred and eighty convicted habitual criminals, marshaled behind the appeal of a negro chicken thief, looked toward Washington tonight in their hope for freedom from life imprisonment.

The Kansas Supreme Court today upheld constitutionality of the State law, under which the 380 men are in prison or life. Miss Lillie Knight, attorney for Ed Levell, the negro, said she would take his fight against life imprisonment to the United States Supreme Court.

Levell, 31, was sentenced to life after his conviction on a chicken theft charge when it was learned his record showed two previous prison terms. Among the 379 other "lifers" are several whose third offense involved minor thefts.

The Kansas court ruled the habitual criminal statute was "not subject to any constitutional or other infirmity which would render the sentence and judgment" of Levell.

Miss Knight contended the law was void because it failed to require the indictment to show previous offense, thereby depriving the defendant of opportunity to answer the charges.

Under the law, patterned after the Baumes law of New York, conviction of a second offense brings the offender a double sentence. A third conviction automatically brings life.

Crime-1935

Massachusetts.

OUR OVER ZEALOUS POLICE

Chronicle 8-31-35

POLICE officers are not selected because of their potential physical strength, gruffness or lack of forethought. They are selected because of their intelligence and willingness to co-operate with the citizenship. In reality our police force should depend chiefly upon their brains and that is what the majority of them seem to do. On the other hand there is a minority that misinterpret orders, offend the public and make themselves general nuisances. It is with this latter group that we desire a few words publicly. *5-25-35*

At this moment we are trying not to feel like the mother of the unfortunate youth of 17 summers who was shot down and killed by a Roxbury policeman who mistook him for a fleeing bandit. They say he was in a stolen car, but in this so-called civilized world that offence is not punishable by death he was strictly carrying out his duty. He had been called to authorities, we completely exonerate the officer in question for

On Fridays, Saturdays and Sundays hundreds of white men and women come into the South End to dine at Slade's Barbecue, to secure his famous 50c chicken dinner. In all of the time that they have been coming there has never been any difficulty between the groups, which is an indication that whites and Negroes are quite used to each other in this section of the country. *Boston, Mass.*

the scene of an armed hold-up. Men with drawn guns had robbed a merchant and his wife with violence and were in the act of escaping. The hapless boy, thinking that the police were after him for the stolen car, sped away as they arrived. Someone shouted "There they go!" and the police took up the chase which ended when a well-directed shot pierced the rear window and killed the youth at the wheel. *Boston, Mass.*

Now there is some question as to whether or not the attitude of the police toward these customers is deliberately going to cause trouble and ultimately ruin business. An indication of what we mean was the wholesale arrests last Saturday night off, an excited onlooker may have shouted "There they go!" for no reason whatsoever. Over 100 persons were swept into the patrol wagon and carried off to station 10 and booked up. In that case we may have been lying in a cold grave instead posedly on the charge of drunkenness. In these raids the police would not bring us back to life. made it their business to grab everybody within a certain radius and push them into the wagon irrespective of whether they were merely lookers on or not. In one such swoop they of being held to account. In our opinion, it is this knowledge grabbed a youngster who had come with his older brother to eat at Slade's and whose only offense was looking. But in this case they missed their cue for it was not long before a cruising wagon came from another precinct and took the boy away from Station 10 where he never should have been in the first place.

We cite this case to show how utterly irresponsible the police are in these arrests and because this happened to be one of ordinary citizens who have no such protection and do not care to be arrested in their quest for a meal they can pay for. speaking. If a policeman surprises a thief in London, the latter takes to his heels; he knows he can escape if he is a better run than the bobby. If an American policeman surprises a thief, the latter immediately shoots it out with the officer because he knows it is his only chance—he cannot outrun a bullet.

We do not believe that the Captain of Station 10 countenances such lack of judgment on the part of his officers and most assuredly the Police Commissioner does not. These kind of tactics offend customers, ruin business and defeat normal business recovery. No doubt these officers feel that they are preventing possible trouble but the shopkeepers and citizens feel that they are encouraging difficulties. No, we do not want disorder, but intelligence and forethought will be far more effective in eradicating this possibility than arresting every body on Tremont St. between Hammond and Northampton. *Scotland Yard.*

We make the suggestion that police officers should be instructed to use their guns only in self-defence or in cases where the lives of citizens are threatened, but certainly not in instances where criminals are running away, especially when their exit lies through crowded thoroughfares.

We are of the considered opinion that if the police in this country used their brains more and their guns less we should have less crime and a more effective force. We cannot help but think of the unarmed London bobby and the matchless

THE POLICEMAN'S GUN

Crime-1935

Michigan.

SOUTHERN JUSTICE IN DETROIT

~~B~~ G E O R G E M O R R I S

HAVING just finished an odd job ought to help, he thought, so he dragged out in a semi-conscious frame-up was as clear as crystal. the placement of Negroes on the at a neighborhood garage, Wil- called him over and told him that condition and shoved into the po- * * * fire force, etc., has already been liam Turner, a young Negro, stopped the boy hadn't done a thing, and in the wagon, a policeman could HUNDREDS of Negro people who signed by several thousands. A com- into his mother-in-law's house to ask Blare to take charge of him. not resist the temptation to take that the fight for Negro rights was Mayor Couzens were told that they see if his wife was there. Not find- Several more policemen came over another whack at his legs with a being handled by such an ablewere "Goddamn liars," that every- club. fighter. Every time Sugar scored thing was "in order in the Negro ing her there, he grabbed a sand- arrested him and immediately took The crowd of about 3,000 Negro point, you could see them re-neighborhood," and that they "were which and started for home. him into the fire station. Mean- race war was averted only through into applause. But Judge Gordon The verdict on the Turner case Street munched the sandwiches and Negro neighborhood was converging upon the firehouse. That's the way that the only proper action was to whisper. The judge was also irri-quickly and put more power behind turned into Reward Street, where he things are in the Hastings Street organize a protest to the city ad-tated at the full house. What did the fight. The case will be fought passed by the front entrance of Firedistrict. Resentment against race ministration. Crowds besieged the they see in this case? It was only to the limit. Thousands will de- Station Number 30. Suddenly a discrimination and the misery closed fire station late into the a misdemeanor. The newspapersmand to know if a blackskinned glass full of water was embl upon forced upon the people there has night. hadn't even mentioned it. witness is a liar, even if he tells the him by one of the two white fire-grown to such a great mountain Turner, in the meantime, had Then came the windup speeches truth. men standing in the doorway down an avalanche. been taken to the receiving hospi- The prosecutor had a weak case.

"What's the big idea?" he asked. The policemen began chasing the crowds. The fire station doors were tunnelway to jail. "Who's this guy" asked the 250-black. "It is your duty," he told the Turner to jail. "to discover if the witnesses have not COLORED the case."

face. Turner was only 22, and weighed 149 pounds. He saw another fireman in the doorway and knew there were others inside. But he was back window looking into the kitchen where a light was shining. He hit back. The fireman knocked him down, but Turner soon had at least a score of others found him down and was getting the good vantage point on a second story porch from which the house was out with a club and other firemen after him. Turner caught the club over his right eye and blood started gushing down his face. At least four firemen dragged him into the station and rained blows upon him from all sides. Turner fought back gamely.

"Stop killing that boy!" "You'd better bring him out alive!" Several in the crowd discovered a Right in Turner's face.

"So yo-u-u're the guy!" Bang! best he had ever made in similar cases. For a long time afterward Next day Turner was placed on you could hear remarks like: bond, charged with assault and battery. The International Labor De- he tell it to 'em!"

fense was on the spot. A neighborhood committee was already on the job raising the bail. A jury trial was set for September 13, and by a white man. He commended best of the fight. Meanwhile, the second fireman rushed inside and facing the window, and only about ten feet away. And what a sight! Turner for having shown such a fine example, for having stood up that's when the story began to unfold. Eye-witness after eye witness came forward and reconfirmed the and fought.

details during the five-day trial. It is rarely that a case in court was supported by evidence so clear and beyond a reasonable doubt." While the jury was out there was very little speculation. There seemed no possibility that the verdict could be guilty.

But the firemen and policemen, kicking him from all sides. "Any who should have been on trial in that Turner would be convicted and

By that time, Bob Hardeman, Negro owner of a tire and repair shop across the street, who had watched the affair from the beginning, walked in. "You fellows ought to be ashamed of yourselves, ganging upon the boy. "It's my son-in-law! They are He didn't do a thing," he said as killing him!" he eyed the pack of cowards. "Come on, boy, let's get out of here, they'll kill you." "Please don't hit him. He is my son-in-law. He never did anyone

other fireman want to get at him?" "He should have been on trial in that Turner would be convicted and that was if the ten white women and two white men on the jury were completely saturated with the poison of race-hatred. This was all the prosecutor banked his case upon. AND THAT'S THE KIND OF A JURY IT WAS!

turner had simply walked over to fireman Pierce, had kicked him and knocked him down. Pierce had simply tried to tear himself loose. After two hours they came out with a verdict of Guilty.

The judge immediately administered a sentence of 20 days.

He took Turner by the arm and said, "I'll have to do something. I'll have to bring the law down here." "Lady," one of the Negro workers answered, "Who will you get?" Turner challenged him to a fight and stake. The treatment given Turner was easily answered. The eyes of the Negro population of Detroit had been set upon that trial. Much more than Turner's liberty for 30 days was at stake. The treatment given Turner registered a sentence of 30 days.

* * * whole law is down here now." he had accepted the challenge.
TURNER stood waiting for the * * * Turner's defender was Maurice
"law" and it came in about WHEN the policemen and fire- Sugar, one of the foremost fighting political and social treatment given
men were satisfied that Turner labor attorneys in the country. Un- the Negro people as a whole.
three minutes. Hardeman recog- had got "what's coming to him," to his questions, both firemen and During the month since Turner's
nized a policeman named Blare and enough police arrived to clear policemen were enmeshed in a net- arrest, protest meetings have been
whom he knew personally. That the large crowd, Turner was work of contradictions. Their crude held, and a petition demanding the

Mississippi.

Crime-1935

Mississippi Governor Holds Informal Court For 150 'Forgotten' Convicts

MISSISSIPPI PENITENTIARY will be attached to the prisoner's record PARCHMAN, MISS., March 25.—(AP)—he returns to the Capital. An informal "court of mercy" presided over by Gov. Sennett Conner today began to review the case of the "forgotten" convicts about whom the "free world" knows little.

Word of the "mercy court" spread rapidly among the 2,700 inmates and sergeants were deluged with requests from hundreds of prisoners for permission to speak to the Governor about their cases.

Each of the 150 whose cases are scheduled for review by Gov. Conner and two aides, Prison Superintendent O. G. Tannwas dead today, the victim of a 3-year-old bullet fired at him by a negro who had been serving 25 years. Some of them had served over 25 years and Dr. J. M. Acker, superintendent of the State Hospital for the Insane, firmly believed they would be set free as quickly as they had an opportunity to talk with the Chief Executive.

Few realized that each case was to be closely scrutinized by the Governor after he leaves the prison.

First to greet the "court today was an 11-year-old negro boy, Jabo Dean, of Philadelphia, Miss., who with his brother, Pratt, 12, is serving a sentence for grand larceny.

The Governor evidenced astonishment when he dug into the boy's case.

"We get no reports on commitments, and these boys could have been here for years and I not know it," he exclaimed.

Jabo unhesitatingly admitted breaking into a house in Philadelphia with his brother and stealing a bag containing \$90. He said they were "told to do it" by a man who they said gave them 10 cents as a "reward."

"What are you going to tell that man if he asks you to do it again," the Governor asked.

"I'll tell him to get it himself," came the quick reply.

"Did you ever hear about God?" was the Governor's next question.

"Yes sir, he's a good fellow."

"Did you ever hear about the devil?"

"Yes sir. He burns you up when you is bad."

"Why do you want to get out?"

"I want to go home and see my mammy," the negro answered.

It was disclosed there are 150 convicts who have been here for 10 years or more, and in most of their cases not to say in the final ceremony, but the even a letter has been filed interceding camp sergeant reported that there in their behalf, nor have they written a chorus of joyous shouts when any Governor seeking executive clemency the lucky prisoners were told earlier.

The oldest of these is Eugene Manny, who was received Aug. 2, 1906, from Madison County to serve a life sentence for a statutory offense.

Manny insisted during the review of his case that he was "in for murder." After issuing the official certificate of clemency the governor then "willing to let it go at that if you say 'forgotten men' in the state penitentiary, those serving long terms who so, just so I can get away."

Each statement made by a "forgotten" convict is recorded by a stenographer and their cases before the governor at the

Holdup Cranks, Victim Speaks, Money Is Recovered, Negro Dead

Special to The Commercial Appeal.

COLUMBUS, Miss., March 27.—state capitol. The men included 11 negroes and four whites. Some of them had served over 25 years. They were given \$10 each but Mike Parra, Columbus business man, whom he robbed on a highway a few miles south of here.

CUMBERLAND, MD.

TIMES

JUN 22 1935

The Mighty New Arm of the Law

A young Negro arrested by a deputy sheriff in a small Mississippi town on May 28 has confessed to the murder of a young woman near Fredericksburg on the night of May 20, 1934.

The prisoner had "answered to the description of the suspect" contained in a Department of Justice circular received by the officer more than a year before. Questioned about the Fredericksburg crime, he admitted his guilt. Then he recovered his pocketbook and calmly notified officers.

The negro, crank in hand, was in front of the car, Mr. Parra started his motor, jammed his accelerator to the floor and roared over his body, dragging it 200 yards.

Once the negro, crank in hand, was in front of the car, Mr. Parra started his motor, jammed his accelerator to the floor and roared over his body, dragging it 200 yards.

Then he recovered his pocketbook and calmly notified officers.

The negro, in a local morgue, is man.

pect or suspect in the crime. These circulars go to all police departments, great and small, and to law officers throughout the country. Many of them go to private citizens. The country is fairly blanketed with them. Such was the case with the Fredericksburg crime. In an unspectacular manner, the Bureau spread its net about the perpetrator of the crime, and finally ensnared him.

And one of the chief sources of strength in this method is in the fact that the "G-Men" do not seek the limelight, and are ready to give local officers full credit for their part in the capture of any criminal. For this reason, they have found local agencies eager to cooperate. To this extent they have coordinated all the police force of the nation into a mighty arm of the law that stretches into every city, town and hamlet in America with its almost uncanny power to run down criminals and make them pay.

New Jersey

Crime - 1935

(See: Juries.)

Give Him A Fair Trial

Bruno Hauptmann, who went to trial today for murder, is entitled to a fair trial under every safeguard guaranteed an accused person in our Anglo-Saxon law.

The vile crime of which he stands accused has stirred this country more deeply than any crime in recent years. But the courts must try him, not mass opinion.

There is in America a tendency that is menacing to order and law. This is a sort of hair-trigger justice that treats an accused person as a guilty one. For days now certain elements have been seeking to create about Hauptmann an atmosphere of pre-judged guilt. Recently there was flashed on movie screens a series of pictures of the Hauptmann trial scene in New Jersey, and among the pictures was that of an electric chair! This sort of thing is abhorrent to law-loving Americans.

Guilty or innocent Hauptmann should be tried fairly. His trial must not be made a Roman holiday for sensation mongers and horror hawkers.

No Negroes On Jury; Acquitted

ELIZABETH CITY, N. J., June 13.—(ANP) — The "jury issue" and the exclusion of Negroes, came up here last Tuesday in a case involving Alonzo Smith, charged with liquor tax evasion, in the U. S. district court before Judge I. M. Meekins. Smith's attorney, P. G. Sawyer, chairman of the County Democratic executive committee, moved to have the indictment against Smith quashed because of the exclusion of Negroes from the grand and petit jury list.

Judge Meekins refused to quash but offered to send for a colored man and place him on the jury, or to allow Sawyer to exhaust his ten challenges and then place 10 Negroes on the jury.

The judge denied that he had ordered the names of Negroes placed on jury lists, insisting that Negroes served on federal juries in New Bern, Wilson and Durham.

Smith was acquitted.

RADIO PATROL CARS MANNED BY FEARLESS AND UNRELENTING SEABOARD PEACE OFFICERS

CAPTURE IN LESS THAN ONE YEAR 64 STOLEN CARS.

78 PER CENT OF MURDERERS AND 32 OTHER ATROCIOUS CRIMINALS

Record Gives Lie To Those Who Allege Negroes Do Not Make Good Law Enforcers

ATLANTIC CITY, N. J., Aug. 15.—(ANP)—During the past fortnight, through the courtesy and foresight of Director William S. Cuthbert, white of the Atlantic City Department of Public Safety, a dozen or more citizens have experienced the thrill of a cruise in one of the fleet radio patrol cars recently added to the anti-crime devices of the police department. While these residents are still expressing their appreciation for the experience, word has been received that two of the Negro operators of Car No. 1, James Diamond Elbart and James Jones, have received a special citation for alertness in service. The letter addressed to the two officers by the director, reads as follows:

"Let me commend you on your alertness in apprehending one which escape may be attempted at the signal is flashed to the tenders of James Esters who was wanted on the charge of murder in New York. the drawbridges leading out of the city, a far cry from the days when officers on foot set out to capture desperate criminals. When

"This kind of observation on the town and both bridges are instantly opened. Escape is now well system in that you have proved that you not only act in emergencies, but that you are observant and alert at all times.

"I sincerely hope that this high standard of police efficiency on the part of all the radio division will be continued by all members of the patrol."

The other two Negro operators of patrol cars are William Baynard and Wilbur Spriggs. All are courteous, fearless and feared. All won their positions through special training and passing examinations compiled by the Federal Government. They carry special licenses for operating such cars and each of the vehicles is equipped with a shot gun, a gas gun, night sticks, and, in extreme emergencies, machine guns are available.

In less time than one year these four men alone have captured several escaped convicts, located 64

Frank Eggleston, a Negro. Among these guardians of the public peace one finds local boys who stepped into the service barely out of their teens. There are those who have graduated in special professional fields and found this type of service a more satisfying outlet for their energies, and still others who, by following in the footsteps of their elders are making this kind of community service a family tradition.

Three Negroes are enjoying the blessings of retirement after many years of faithful service and there are thirteen pensioned widows.

Director Cuthbert made a move in the right direction when he invited the citizenry to cruise with the radio patrol and learn more about the service. Truly those who shared the experience will feel more inclined to say of the officer standing on his beat, "They also serve who only stand and wait."

PROVIDENCE, R. I.
NEWS TRIBUNE

DEC 18 1935
THE LIE DETECTOR

Bruno Richard Hauptmann's request that he be subjected to a "lie detector" test to establish his innocence of the Lindbergh baby slaying. The processes of American law for determining the guilt or innocence of a defendant to a criminal charge are well established. They are filled with safeguards for the protection of innocent defendants. A test such as Hauptmann suggests does not belong among them.

There is no protection that has not already been given Hauptmann. He was deprived of no opportunity at his trial to produce any evidence he might have, either in defense or in mitigation. His trial has been likened to a circus because of the brilliance of the light of publicity that shone upon it.

There was an element of the theatrical in the trial proceedings, but there is no gainsay. The highest courts of New Jersey have reviewed the entire proceedings. These courts are composed of men of unquestioned integrity. Had they found the slightest shred

of basis for belief that Hauptmann had been dealing with, they would have acted taking a review of the evidence or the conclusions of law involved. Had they found the slightest foundation for such action they would have proceeded with a review, as they did in the Lindbergh case. Finally, the refuge of all the poor andow would have been given Hauptmann. He was dealt with, they would have acted swiftly and surely to undo wrong. They found Hauptmann's the slightest the truth has been told in the Lindbergh case. If that truth is in the mind of the Stoical, taciturn German carpenter it needs no serum, no mechanical measuring device to bring it out. If Hauptmann really wants to speak the truth, the world will listen.

NOV 13 1935

Police Brutality Charged By Colored Folk Here

Willy Harris Attacked in Station House in Barry Case, Crowd at Protest Rally Told.

Without condoning any illegal actions on the part of members of their race, colored residents of Jersey City, at a meeting of the Jersey City Chapter, National Association for the Advancement of Colored People, last night planned to circulate a protest against police brutality which they claim is practiced against colored people in Jersey City. Not satisfied with this, he said, he captain of the precinct also truck one of the women being held is a material witness.

The protest is to be made particularly in connection with the alleged beating received by Willy Harris, 28, of 202 Union St., at the hands of five policemen in the Communipaw Avenue Station House after he had been arrested on the charge of being the man who beat Patrolman George Barry with the officer's nightstick.

The general tenor of all the talks was that the alleged beating of Harris is typical of the treatment arrested colored people receive and that, regardless of Harris' innocence or guilt, the police do not have the right to inflict punishment. All the speakers made it clear they do not wish to condone any illegal action by members of their race.

Brutality Charged

Rev. Edward P. Dickson, president of the N. A. A. C. P., who saw Harris in his cell some time after his arrest, told the audience Harris told him he was badly beaten with fists and blackjacks in the Communipaw Avenue Station after his arrest on Nov. 4. Harris showed him scars on his arms, Rev. Mr. Dickson said, which he claimed were inflicted by police. According to Rev. Mr. Dickson, Harris told him the police compelled him to sign the alleged confession he made.

Lawyer Charles W. Carter, acting as counsel for Harris, said when Harris was arrested he was beaten by policemen who used only their fists. They took him to his home to get evidence and then, after having him in a cell for some time, he said, took him out and proceeded to beat him with blackjacks and nightsticks.

Hueston impressed upon those As a result, he said, Senators and present that anything done for one Congressmen from the South are represented person is done for all. Any turned year after year, acquire seniority rights, and head every senatorial and congressional committee. He read the complete list of committee chairmen and named the colored ministers of Jersey City Southern state from which they came.

the colored church furnishes the nucleus for organization and the At the close of the meeting, a only source of higher education for legal redress committee was appointed to draw up a protest and to colored residents of the South.

He took cognizance of the presence of two policemen at the meeting and be welcomed them. He declared that The committee named is composed when the people pledge their coop of Charles Carter, Rev. J. Thomas, to the police, they ask in re-Rev. E. S. Hardge, Dr. James R. turn that the police remember that Stroud, and Mrs. Ida E. Brown. they are public servants as is the Preceding the protest meeting, President, governor, mayor and po-election of officers was held. All the ice captain.

Cost of Advancement

Police brutality, he declared, is the measure of colored advancement. It signed. The present officers are in the same category, he said, Rev. Edward P. Dickson, president with lynching. Lynching, he said, is president; Dr. James R. Stroud, not punishment for any particular vice-president; Rev. C. M. Kirkpatrick, it is a means of keeping the rick, second vice-president; Mrs. Ida E. Brown, third vice-president; Rev. Emanuel J. French, treasurer of Friendliness Y. W. C. A., 43 Bel- truck one of the women being held and refrain from protesting. Brutal Mrs. Julia F. Towned, correspond mont Av. is for the same effect, ing secretary, and Mrs. Lillian Wil liams recording secretary.

The matter has gone beyond the he said. The colored man is not permitted to move about from town to town freely. "If in Jersey City," he said, "I think they had anything to do with the beating of Patrolman Barry. Lawyer Carter also emphasized he did not wish to condone any wrong- case."

He pointed out that in the south, the colored people on the street if they cannot travel the highways at any time without fear of the police, I am personally interested in the Harris case."

He urged the colored people to organize their political strength in order to gain the strength to demand real freedom. The only freedom, he said, is complete freedom and it must be won by fighting.

He pointed out that a protest which may appear to have lost its specific objective may still do much good. He mentioned the recently defeated anti-lynching bill and declared that although the bill had not been passed, still, if it saved one life, it was a success. Similarly, he said, if the present protest will save one colored person from being beaten by the police, it will have had some measure of success.

Capt. Gordon Accused

Carter presented Mrs. Rose Harris, wife of Andrew Harris, no relative of Willy Harris, who is the only one million colored people in the North of the material witnesses who has to fight for the nine million colored been released. She told the audience people in the South who are helped Capt. Edward Gordon of the Communipaw Avenue Station, struck less. He pointed out that the South Congress in accordance with the Dorothy Bailey, another of the material witnesses, in the jaw so hard total population while only the few blood came from her mouth. Her white persons vote. He cited a few husband is still held in \$1,000 bail and examples, taking the first congressional district in Georgia, where a she is left to care for her five children, she said.

Going to the broader aspect, Hueston introduced Lawyer Charles by a man elected by 5,852 persons, Hueston, counsel to the National and the first congressional district in Branch of the N. A. A. C. P. and Mississippi, where 6,825 persons dean of the Law School of Howard voted for the man who represents University, Washington, D. C. 241,000 persons.

Voting in South

Crime - 1935

New York

Why Is He Silent?

CIARGES that Clinton State Prison at Dannemora has been made a "hell-hole" for Negro convicts have been laid before Governor Lehman by The Amsterdam News. We do not make these accusations on our own investigations, and we have passed them on to the chief executive because their persistence leads us to believe that they are worth official inquiry.

Most of the complaints have come from Negroes who are on parole, and they have been brought to our attention over a period of years. In the past men on parole have been unwilling to have their names used, but two former convicts have been willing to face possible return to Dannemora because of their promise to attempt an expose.

The two, C. A. Morris and William Brown, both paroled this year, contend that Negro prisoners are denied the privilege of working in the "better" prison jobs; that racial hatred on the part of white prisoners is encouraged; that Negroes are not allowed to take part in athletics with the whites; that discrimination has been condoned by Dr. Walter N. Thayer, Jr., commissioner of correction.

Obviously, it is impossible for a newspaper to send an outsider into Clinton Prison to make an investigation. If the charges are justified, the prejudice and discrimination could and would be covered before an investigator without official status could gain entrance.

On the other hand, Negro prisoners probably would testify truthfully and without fear if they were assured of immunity from retaliation by a state agency.

Governor Lehman has not shown enough interest to acknowledge receipt of the charges. Dr. Thayer, who has received a copy of the complaints, has done no more than write a letter telling what a bad fellow Davis (the former convict) is. He has dodged the question.

In a state which guarantees all rights and privileges to all persons, without regard to race or color, we cannot understand why the governor can ignore such grave charges. If he has investigated the charges and found them untrue, he should say so. If he has made her to the station house, no inquiry, we think he should call for one.

Racial bias has no place in any sphere of New York life, and issue-dodging should be above the dignity of the governor.

GIRL STUDENT POLICE VICTIM

Winner of Oratorical Contest Kicked and Beaten by Cop

Irate Brooklyn citizens are up in arms against repeated police attacks, which have been steadily growing in intensity during the past few months. The latest victim is Miss Vivian Darden, 20-year-old graduate student of Central Evening High School and 1933 winner of the Elk oratorical contest, who was knocked down by a burly policeman of the Eighty-first precinct, kicked, and finally arrested.

The attack occurred in front of 1747 Fulton street, Brooklyn, on June 16. Miss Darden, who had graduated from Manual High School, was visiting friends at 1745 Fulton street at the time of the assault. She was attracted to the sidewalk by a commotion. No sooner had she arrived on the scene than was she peremptorily ordered by an officer to "get going."

Obeying, she started back for the house with the policeman prodding her with his nightstick. Apparently she was not walking fast enough, will be answered that the men who make millions out of New York's gang wars have been in and out—mostly out—since they passed the reform-school age, without any lessening of their violent assault upon society. The police records of men like Dutch Schultz are astonishing to

and fell. While prostrated on the simple citizens who still believe that prison sentences follow sidewalk, the officer, who was later legally proved crime. The answer, however, lies in a reform identified as James Shannon, allegedly kicked her again, then dragged the student into a taxicab, which took

Tuesday morning, the courtroom was crowded with friends and sympathizers of the young woman. Among the interested persons present were the Rev. Dr. William C. Brown, pastor of the First A. M. E. Zion Church, where Miss Darden attends, and George E. Wibecan, president of the Crispus Attucks Community Council.

Pending the outcome of the case, which was adjourned by Magistrate James A. Blanchfield for July 15, departmental charges were preferred

against the officer by Mr. Wibecan and the Rev. Joseph N. Carrington, pastor of Mount Carmel Baptist Church, who was an eye witness to the assault.

Miss Darden resides at 440 Carlton avenue, Brooklyn. She was represented in the Magistrate's Court by Attorney John McGuinn, white, of 15 William street, Manhattan, who, because of his sympathy with the work of the Community Council, is serving without any fee. Miss Darden is completing a secretarial course at Central Evening High School. In 1933 she was winner of the Elks' oratorical contest in Brooklyn and placed second in the state contest.

Action - NY

BEING AN OLD COP HIMSELF, Police Commissioner Valentine is probably acting true to form in issuing orders to stop, by whatever means, gang warfare in New York City. "There'll be promotions waiting for the men who muss them [the gangsters] up," he said. "I'll promote the men who kick these gorillas around and bring them in." One need not be on the side of the "gorillas" to see in these remarks an incitation to lawlessness and violence which no public official should be guilty of. This is as much

lynch law as are the mob proceedings against Negroes in the South, and it is one of the fundamental precepts of our society that even a gangster is entitled to his day in court. It will be answered that the men who make millions out of New York's gang wars have been in and out—mostly out—since they passed the reform-school age, without any lessening of their violent assault upon society. The police records of men like Dutch Schultz are astonishing to

and fell. While prostrated on the simple citizens who still believe that prison sentences follow

sidewalk, the officer, who was later legally proved crime. The answer, however, lies in a reform

of our police-court system, the protection of witnesses who

might testify against criminals, the punishment of public officials who are frankly in league with gangsters and racketeers, and above all the elimination of news stories which

glorify lawlessness. It most emphatically does not lie in more

lawlessness on the part of the police.

Crime-1935

ROCKY MOUNT, N. C.
TELEGRAM

NOV 28 1935

A STRANGE COMPLAINT

A Wilson Negro is planning to go before the county commissioners to complain about the poor food that he was served while he was in jail on a drunkenness charge during the past week-end. He also will raise his voice against the noise which he alleged the jailer permitted him to sleep comfortably while he was unavoidably detained as the county's inevitable guest.

"It's just terrible," the ex-prisoner is reported to have complained, "the way they bring the officer not to shoot him when the bullet which might cost him his leg was fired; the Negro did not live to tell his side of the story, and the questions had to be asked for him. The officer, we trust, had nothing to conceal—percentage basis. Obviously, can take top place in North Car-

Such a reputation for a jail is almost commendable. If more jails were noted for the un-hospitable manner in which they receive their "guests," probably there would be fewer inmates.

Too, we had been led to believe the verdict of "justifiable homicide" leaves something to be desired. But that can be discounted that a fellow who was stored away for the weekend under the influence of intoxicating booze sometimes did not know or care whether he had so many blankets or a great deal of food or not.

Probably the prisoners who were cared for better than the one who was complaining were regular guests, or were locked up for offenses less obnoxious than being publicly drunk. It may have been, however, that it was just a mean old jailer, though, who wouldn't play fair with his charges. Anyway, a prison really isn'tsary," says our neighbor. And it is supposed to hang out signs and advertise for week-end guests and hand them printed men-

TARBORO, N. C.
SOUTHERNER

NOV 12 1935

We Bloody Carolinians

In the whole nation, we are told by the United States census bureau, North Carolina is the

North Carolina

A boy is in the Davidson hos-pital seriously wounded, and the officer who shot him is absolved of blame; a Negro man stealing coal is apprehended and in the en-

suing scuffle is fatally wounded nature and in most others, some

and the coroner's jury calls it a "justifiable homicide." Findings

based upon facts brought out after careful investigation, but this sort

represents a busi-convicted of homicide, but in this minimum. The census bureau's

which kept him from sleeping comfortablyness about which people can only state that crime accounted for 29 figures then don't mean any-

while he was unavoidably detained as the concerned.

The wounded lad tells his brother that he was down and beg-

ing the officer not to shoot him

when the bullet which might cost him his leg was fired; the Negro

of slaying to a greater extent homicides by the simple expedi-

and some black molasses. He charges too that he did not live to tell his side of the story, and the questions had to be

than such elements in all otherent of letting go the reins so that

some of the other prisoners got more to eat

than did he, and further that he did not have asked for him. The officer, we

states of the nation; that is, on a some crime of less violent nature

sufficient blankets with which to keep warm trust, had nothing to conceal—percentage basis. Obviously, can take top place in North Car-

but had he, there was nothing to there must be a reason.

CHARLOTTE, N. C.
NEWS

NOV 21 1935

Guards and Regulations.

The Tarboro Southerner expresses approval of the way in which a revolt at a prison camp here was put down, finding it in instance, have a large percentage

desirable contrast to the method used in Mecklenburg some months ago when two Negro convicts lost

their feet. In Tarboro, nine Negro

prisoners went on strike, refusing

to work. They were locked up and

denied food for 72 hours, the maxi-

mum time allowed under depart-

ment rules. At the end of the

third day, the rebels remaining de-

fiant and refusing to come one by

crimes of the nation were com-one out of their cell, the guards

mitted in North Carolina. Of the

in charge decided to prolong the

starvation treatment rather than

to use forcible methods, to be pa-

United States, only 1,163 of them

tient rather than to precipitate a

possibly dangerous situation by

were committed in North Caro-hauling them out. Ultimately, the

lina. Therefore, the figures would spirit of the prisoners became as

seem to indicate that North Car-deflated as their stomachs were

olina's high homicide rate is due flatulent, and they came forth

meekly.

Sensible handling, The South-

NOV 28 1935

WITH REFERENCE TO
SHOOTINGS BY POLICE

erner calls it, and so do we. At the same time, it should be observed that the regulation as to the maximum starvation period was violated. That time in Mecklenburg, the regulations, if a discrepancy in the testimony of the guards and that of the convicts as to the duration of the confinement in the dark house be resolved in favor of the former, were followed. The jury so resolved the discrepancy, but that did not help to restore feet rotted off by gangrene.

However, it is not to be con- attempting to evade arrest on a break-in charge. The bullet eluded too quickly from these two instances that the regulations laid down for the care and control of prisoners are all wrong, or that to

handle prisoners sensibly, regulations must be broken. The main reliance, perforce, has to be in the character and the intelligence of the guards. No amount of regulation can restrain vicious guards

from mishandling and mistreating prisoners, just as regular ones may be suspended by common consent when it is apparent that the guards are capable of exercising discretion and common sense.

"It seems that a police department whose use of fire arms has been as marked by tragic deaths and injuries to innocent people as the department in Raleigh would emphasize to its officers the dangers in reckless shooting.

"Fayetteville's police department is fortunate in this respect. For years Chief J. Ross Jones dinned caution into the heads of his men and the precedent he set has been continued wisely by his successor Chief Barney McBryde.

"It is a fine thing for a police officer to know how to use a pistol. It is a better thing for a police officer to know whether not to use one.

"This is borne out by the Raleigh department which over a period of years has a record of shooting more innocent people than guilty ones."

Wilmington's city police also enjoy the reputation of being free of triggeritis, and so do the general run of officers in New Hanover county.

Raleigh, as the Observer indicates, probably has the worst record for this kind of thing than any city in North Carolina.

WILMINGTON, N. C.

NEWS

460-
23 1935

SHOOTING POLICEMEN

Says the Fayetteville Observer:

"For the second time in less than one month a Raleigh policeman in the over-zealous discharge of his duties has shot an innocent man.

"Detective Captain Bruce Poole shot at a negro who was

went wild, struck a brick, ricocheted, and lodged in the left thigh of another negro standing on a sidewalk 200 yards away.

"It seems that a police department whose use of fire arms has been as marked by tragic deaths and injuries to innocent people as the department in Raleigh would emphasize to its officers the dangers in reckless shooting.

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Crime - 1935

North Carolina

POLICE INVOLVEMENTS. This board under the present law, quite questionable as to its propriety, expediency involving the conduct of police officers or wisdom, has jurisdiction over the police and their alleged outrages among the department.

negro population, is beginning to reveal But so long as this commission is appointed by the City Council and derives its official title to function from that

Two definite facts leap out. source, the Council could reasonably claim

First, that there is an unwholesome dis- authority and responsibility for the con- affection and confusion of authority ex- duct of the police department. stent between the City Council and the Civil Service Commission.

Second, that within the police depart- ment are smouldering fires of a veritable leudism, which have been raging to the detriment of efficient service in the law- enforcing field, and to the fatal impair- ment of even the commonest and crudest discipline.

And such disclosures call imperatively now for definite, clear-cut and final ac- tion that will clear away these two dis- turbing factors, that will settle once and for all who is in control of the police department as between the Council and the Commission, and that will harmonize the disturbances within the personnel of the department.

These revelations have for the moment development called for is that courage to carry out what is coming to be so palpable the plain call of this official and surface, but they have not enabled the people to arrive at a satisfactory conclusion concerning these alleged outrages against the negroes.

Perhaps, however, for the moment, whatever may come later of this, it were better to concentrate on clearing up the mess that is being exhibited as to the authoritative functions of this department and as to the enmities, jealousies and rivalries that seem to abound within the haven for women given to minor personnel.

The Council now has opportunity, with interpretation of the act of the the resignation of CHAIRMAN WHITE of last General Assembly which said the Commission, which seems certainly to have been in order, to have a fair, friend- ly and final understanding with the members of this civil service board. interpreting that law to mean that

the state must take them when it has quarters to keep them, and shall will probably recommend Wednesday to the civil service commission disciplinary action to be taken against the 13 officers who were assaulted without part in the and answered provocation a group of negro citizens on the night it was stated.

All of which is perhaps quite interesting to Mary Thompson and Odessa Raynor, colored women sentenced to serve 30 days each for larceny, who though convicted are free and facing no prospects of atonement for their crime.

Somewhere there is responsibility for care of those and like prisoners — and the authority which released them should be held to accountability. The county may convict and the state may turn loose, but the county and the state do not serve justice by bickering over incidents when society has a stake too important to be circumvented because little men make issues out of small things.

According to tentative plans, not proceedings of the conference were only 11 officers will be in key positions during the 24 hours of learned reliably that the city manager will probably recommend to the commission that the officers involved in the attack be punished by being forced to work without pay for a stipulated length of time.

REORGANIZATION PLANS.

Although no official announcement was forthcoming and the yet approved by the city manager, proceedings of the conference were only 11 officers will be in key positions during the 24 hours of learned reliably that the city manager will probably recommend to the commission that the officers involved in the attack be punished by being forced to work without pay for a stipulated length of time.

It was further established that the officials spent sometime studying a reorganization chart for the department that will place only 11 officers in superior capacities during the day and night.

With the police officials Mr. Marshall went over blueprints of the proposed plans for remodeling closed doors in the city manager's headquarters through finances to be received from the city treasury and the Federal government.

When questioned after the conference Mr. Marshall said the meeting was "just a round table discussion" with no definite plans for the improvement of the department formulated.

Each of the 13 officers were called before the city manager for questioning one at a time. Some of the officers elaborated on statements made at a previous investigation while others indirectly changed their stories.

CLEAR UP MIS- UNDERSTANDING.

To the Editor of The Journal: The headlines "Two Negroes Lose Life in Assaults in the City During the Week-end," make news for the person not acquainted with conditions that prevail in Winston-Salem.

Belief was expressed that the officers had cleared up the misunderstandings that existed at the screw loose somewhere in dealing with the criminal element of this great city.

A rigid examination of the complaints made by the negroes. At the time of this hearing, it was pointed out, the officers were studying a way to prevent, if possible, this wholesale slaughter by their testimony was taken down by a court stenographer. They recommended some ways and means by which this con-

MEANWHILE JUSTICE THWARTED

Scotland county emerges as a short term women prisoners as well as men—the state authorities

interpreting that law to mean that

Marshall to Recommend Disciplinary Action.

POLICE HEADS CONFER

New Organization Plan Calls for Only 11 Officers of Superior Rank.

WINSTON SALEM, N.C. JOURNAL

SEP 4 1935

Thinks Negroes Not Given Fair Chance To Combat Crime

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dition might be changed if not entirely broken up. It seems that a deaf ear received these recommendations, and until this hour, no action has been taken on one of the recommendations on a plan. Not even the one submitted has been put into effect.

"Oh, nothing but a Negro," seems to be the unspoken word that is in the minds of those who have read of the killing of 13 Negroes in Winston-Salem since Christmas. Of all the 13 had admitted they were among those who were at the defendant did not get as much this city has something to do with the places where the disorders as he probably deserved, his conviction was already alleged to have occurred.

The Anti-Crime League recommended that non-uniformed Negro officers be kept in this vast area of Negro settlements. The league claims lack of discipline had been uncovered. As an outgrowth of the investigation all the members of the Civil Service commission could make immediate arrest. But as it is when Negroes are fighting and killing each other, a bystander has to go to somebody's house, pay a nickel to use a telephone, and then perhaps be told that he will have to come down to police headquarters and swear out a warrant. This is preposterous when in cities as large as Winston-Salem, the patrolman would have seen the crowd and dispersed it, or arrested the quarrelers and thus prevented a murder.

After Negroes have been faithful to the extent of giving their service and even their lives to this country, surely no Christian American could refuse the Negro a chance to save himself and others from annihilation, for he loves life, too!

Let Negroes feel they are working for this government, and they will add a chapter on left-hand change this murder record within 90 days. We, as a group, need relief in more ways than bread and butter, and we pray this relief may be forthcoming.

J. H. R. GLEAVES.
Winston-Salem, N. C.
September 3, 1935.

Charlotte, N. C. Observer
September 8, 1935

13 Policemen Penalized.

FOLLOWING A CONFERENCE with City Manager J. B. Marshall, the Civil Service commission Wednesday night imposed fines ranging from three to ten days' pay upon 13 policemen who were involved in the alleged wholesale raid upon negro-owned places of business in Brooklyn and alleged brutal treatment of negroes in those places. Thompson went back to municipal court without counsel to be tried on the night of August 3.

The fines were imposed, it was explained, because the officers law would have advised him to stay off the stand in city court and call Slade as his witness, but he did authority and neglect of duty in not reporting to their chief."

Those fined three days' pay were in hot water. If he pleaded guilty of possession, a misdemeanor, he opened himself to a charge of perjury, a felony. So he was con-

Fined five days' pay were Lieut. A. L. Sturgis, Officers Timmonson and Philemon. Fined ten days' pay were B. A. Williams, in charge of the depart- got off lighter had he not told Mu-

ment on the night of the raid, and nicipal Judge E. Earle Rives he had been in court only two times when identification bureau. the record showed nine.

Despite the fact, however, that course we know that the influx of strangers into the Negro section of this city has something to do with the places where the disorders as he probably deserved, his conviction raises grave questions of consistency. How, for example, could government should make preparation City Council immediately following he consistently be found guilty of

reports of the affair, the council possessing Slade's spirits without announcement that evidence of "gross laying Slade open to charges of both possession and perjury? If, on the other hand, Slade had no whisky, can Thompson consistently be convicted even on his own word of taking something that did not exist?

All of which is by way of saying that the courts sometimes must move in mysterious way their wonders to perform. All else failing the prosecution, there is always the income tax evasion.

The King Must Do No Wrong

The ancient saying, "The king can do no wrong," had two meanings. We are apt

to remember one and forget the other. The

common interpretation has made the sentence a statement to be scorned in these days of democracy. The interpretation is

that on account of his high office, the king must not be charged with wrong doing.

In other words, because he is king, this function

prosecuting witness by invitation. But there is another and a deeper meaning.

and while there took some whisky in this statement. It is "He is king

because he does no wrong, and now that he

is king he must do no wrong." In the days

of chivalry, despite the machinations of evil men, persons attained to the kingship

oftimes because of their kingly qualities.

Certain standards of honor, of character,

were attributed kings who were supposed

to set the example for their people. By

strength of character and depth of personal honor, men rose to be kings, and because they were kings they refused to do

the evil thing.

How much better off the world would be if these standards, exemplified in the lives of David, Josiah, Richard the Lion-

can do no wrong!"

Which is apropos the address of Clyde Hoey to the sheriffs of North Carolina. In the old days, the king typified the law. Today the sheriff does, as Mr. Hoey pointed out. Respect for the decrees of the king depended upon the fairness and just acts of the sovereign and his laws. When kings began to forsake the ancient tenets of honor and character, the monarchical forms of government began to fall in almost every country. When law enforcement officers flout the law they are required to enforce respect for law and the courts of the country begins to wane, and civilization is undermined by the acts of the lawless.

It has been stated herein that a good sheriff should be more than a man of upstanding character. But let it be explained that he can never be less. There are no other qualities that can be substituted for that strength of purpose and decision that causes the enforcer of laws to abide by them himself. We might get along without some of the other attributes, but society is endangered when we try to get along with-

IN MECKLENBURG AGAIN.

(From The Greensboro Record.)

Notwithstanding that the Mecklenburg Superior court has lately finished a trial of officials for mistreating negro prisoners

a trial that gained almost nation wide publicity and ended in an unsatisfactory

way from the point of view of many people that county is now in the midst of another investigation involving the races.

This time it is the city of Charlotte, more particularly the civil service com-

mission, which is both prosecutor and court so far. On petition of a number of

substantial negro citizens of Charlotte the inquiry into the alleged mistreatment by

police of a number of negro business men was launched.

The case appears to have this compli-

cation. A. P. WHITE, chairman of the city civil service commission, the one that is

making the investigation, was sitting in the police car, by his own admission, while

the police were committing the assault, if there was any. MR. WHITE said he wasn't

at the scene of the so-called crime nor does he know of anything that took place

today if these standards, exemplified in the lives of David, Josiah, Richard the Lion-

Hearted, King Alfred, and others of their

with what sort of weapons the police were equipped and he should be able to relate their first hand account of what transpired.

And probably he will, Mecklenburg may

know how to investigate even though the

attempt just ended there was described

North Carolina.

Crime - 1935

CHARLOTTE, N. C. NEWS

MAR 1935
of supervisor and guards and physi-
cian, under rules designated to
modify the old horrors of flogging,
men may be and have been muti-
lated for life.

to preserve the fiction of super-
vision. Preachers will preach and
congregations will assemble for the
exposition of the Scriptures. "I
was in prison and ye visited me
not" will continue to be the mean-
ingless words of a man who lived
2,000 years ago.

"Ours," said Capus Waynick, chairman of the Highway and Public Works commission, "is the full and Christian conscience if they are exposed to pass the buck. There will be no whitewash."

Unfortunately the responsibility may not be so accurately and easily fixed. The prisoners were punished under a rule which is frequently and doesn't necessarily invite excess. In spite of the apparent observance of the camp routine nobody

Certainly the terms of the prison regulation under which these helpless Negro prisoners suffered tortures which made of death a thing of welcome release, are not severe.

The rule for solitary confinement

and Christian conscience if they are

to serve merely as shields and ex-

cuses of indifference.

It would be better if we had less

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PRISON CAMP HORRORS

Cape Fear Journal
A North Carolina legislative probe reveals the fact that cruel practices of officials in the Mecklenburg county convict camp has resulted in the death of one Negro prisoner and the loss of both feet by two others. The fact has been pretty well established that two of these prisoners were placed in "solitary confinement" and suffered so intensely from the cold that shortly after they were allowed their usual "camp freedom" their feet had to be amputated. The third Negro prisoner died in shackles!

To attempt to describe how utterly heartless and cruel these practices are would be futile, a mere waste of words. "Prison horrors" is putting it mildly. The Spanish Inquisition was tame in its ruthlessness punishment compared with the officials of this prison camp if they are guilty of the cruelty with which they stand accused. It is inconceivable how a human being could be so fiendish as to enjoy such suffering among other humans. **3-30-35**

North Carolina bows her head in shame! Because North Carolina was ever proud of her penal institutions and her courts. Unnecessary cruelty was seldom practiced within those walls. But not for long does the proud old North State shed tears of shame. This cancerous spot in her penal system, this cesspool of cruelty, this barbarous practice of sadism must be abolished. North Carolina is thorough in her punishment of those who betray her trusts. And if these camp officials are found guilty of this heinous offense they will be dealt with severely. North Carolina is acting thru various investigating committees. We anxiously await the outcome of these probes. *Cape Fear,*

Another angle to this deplorable and pitiful incident is the necessity of artificial limbs for these unfortunate victims. We feel confident that these men will be well cared for by the state whose officers practiced such Borgias-like and needless cruelty upon them.

GREENSBORO, N. C. NEWS

APR 1 1935
NOTE ON EQUALITY.

Comparisons are admittedly odious; yet if they are justified anywhere it must be in the field of justice where equality before the law is hailed as the highest governing factor.

With that generalization, the Daily News approaches the case of Booker T. Watson, 15-years-old negro, who at present is on death row following his conviction of the murder of Hinsey T. Williams, Nash county farmer, on whose place he lived. Over against it is placed the case of Alfred Denton, white lad who some years ago, when he was 14, broke onto the front pages as the slayer of Theo Tant, a farm neighbor, in the self-same county of Nash.

Watson, as the Daily News recalls, shot his landlord immediately after a row which occurred one Sunday afternoon while he and Williams'

son and several other boys were playing in the Williams' yard. Ordered home, the negro returned shortly with a shotgun and killed the farmer as he slopped his hogs.

Evidence in the Denton case, unless our memory serves us false, was that the boy hid in a tobacco barn and shot Tant as he drove by on a wagon. Tant had been accused of molesting Denton's still. The case attracted major interest, with press,

pulpit and sentiment generally rallying to the boy's side. But that gets into the realm of punishment, which deserves a paragraph to itself.

The white boy was sent to Jackson training school, where he spent approximately three years before being dismissed by the state back to the camp. Yet despite this state's old surroundings, influence and environment which now, incidentally, have again landed him in the Highway and Public Works the toils of the law. In contrast, Commission, sees no reason to take the black boy, who has had scarce a voice raised in his defense, under whose care the State crippled found guilty of first degree murder two men for life in the name of discipline.

unless Governor Ehringhaus intervenes.

Comparisons are odious? Odious indeed when they reflect such inequalities in the sphere where equalities of all places are supposed to obtain.

SUN

Selma, N.C.

MAR 7 1935
SAYS IT'S A DISGRACE
TO NORTH CAROLINA

A traveling man from Richmond, Va., called on the editor of the Johnstonian-Sun this morning, and in reviewing recent happenings in general, the gangrenous condition that the doctor asked if we had noticed tors cut away. If the condition of the account of the treatment these convicts was already begun given two negroes in Mecklenburg county prison recently by them up so that they had to stand the camp officials. He said that on diseased feet, then cruelty has such barbarism by those who grown to a horrid statute in the State's care developed the horrid before the "discipline" of hanging State Prison system. If this condition is a disgrace to the entire State of North Carolina. It re-cipline" was ordered, then the camp minded him of the acts of the officials cannot plead any excuse African heathen's way of met-saving their folly and carelessness for ing out punishment. Their cruelty.

Such barbarous treatment is indeed a shame on the State, the custody of North Carolina, are and people of other States who symptoms of a cruelty which can read the story as it goes out not be regarded with complacency in the newspapers and over the radio will wonder, just as many there could be no greater hypocrisy of us are wondering, what kind than that which outlaws the lash of prison system have we in and yet permits petty officials to indulge in more horrid cruelties North Carolina.

An editorial in today's News and Observer speaks our sentiments better than we can give them. Here it is:

CRUELTY AND COMPLACENCY.

Two Negro convicts, brought to Raleigh from a Mcklenburg prison camp, will be crippled for life after operations necessitated by gangrenous conditions of their feet brought on by the disciplinary measures in the camp. Yet despite this state's old surroundings, influence and environment of the doctors, J. B. Roach, head of the State penal division of the Highway and Public Works Commission, sees no reason to take the black boy, who has had scarce action against the camp officials under whose care the State crippled found guilty of first degree murder two men for life in the name of discipline. This attitude by the man in charge of the State's prison system is more

serious than the acts of subordinates who crippled the men by so-called disciplinary measures. Such an attitude at the top of the system cannot fail to be taken by little officials at the bottom of the system as approval of disciplinary measures which give a medieval quality to our system of punishment for crime.

There is little room for argument here. Disregard the convicts' story that they were hung up so that they had to stand for long hours for several days on feet frozen by the could take only the doctor's statement that these men while in the State's care developed the horrid gangrenous condition that the doctor asked if we had noticed tors cut away. If the condition of the account of the treatment these convicts was already begun given two negroes in Mecklenburg county prison recently by them up so that they had to stand the camp officials. He said that on diseased feet, then cruelty has such barbarism by those who grown to a horrid statute in the State Prison system. If this condition is a disgrace to the entire State of North Carolina. It re-cipline" was ordered, then the camp minded him of the acts of the officials cannot plead any excuse African heathen's way of met-saving their folly and carelessness for ing out punishment. Their cruelty.

North Carolina

Crime-1035

NEGRO DIED IN CHAINS

Was Manacled in Dark
Cell by Carolina
Prison Guards

RALEIGH, N. C., March 13.—A legislature lolls along, awaiting committee investigation into the torture of two Negro youths at the Mecklenburg chain gang camp. One would never surmise as the torturers of two Negro youths at the Mecklenburg chain gang camp, which necessitated amputation of their feet, revealed yesterday that amusement, as the case may be, another Negro worker, L. Bogan, that there are business items, long had died in the same camp last August under torture, while chained omitted measures and even a constitutional mandate, which might be transacted in the name of fairness.

The legislative inquiry into conditions at the camp was started when white and Negro workers, under the leadership of the National Labor Defense, flooded the capital case, as the law now stands, North Carolina Legislature and which has recently been concluded Governor with indignant protests against the barbarous treatment of prisoners, which resulted in the amputation of the feet of Robert Barnes, aged 20, and Woodrow Wilson Shropshire, aged 19.

Had Feet Cut Off

The two youths had their feet amputated on March 6, after being taken from the chain gang camp Carolina. Advancing public opinion has so decreed, but the responsibility rests with the Governor's office whence commutation of sentence comes. With the Taylorsville

The youths declare their feet were frozen while chained to a wall in an upright position during a severe cold spell last January.

Just a few hours before the opening of a session in which the legislative fathers find time hanging Director, denied that the men's feet had been frozen, and claimed that "they only had 'trench feet'" and the statute, so that any chance slip would be fully cured "in a few weeks." He completely whitewashed the prison officials and their barbarous torture of these victims of responsibility, into harmony with public sentiment and the nullification of the hideous chain gang system. Yesterday he was forced to admit however much that may be Northern Carolina's way, which now obtains? that the legislative inquiry into practices at the Mecklenburg chain gang camp resulted in information In the same realm, although glossed over in official reports, which "leaves little doubt that" L. Bogan died there last August under torture.

Chained in "Dark House"

The Charlotte Observer admitted that Barnes and Shropshire had been chained for eight to ten hours on the statute books and, so long as daily for four days in the "dark house," and kept on bread and water. The youths state this pun-

ishment was for warming their feet at an open fire during the cold spell. The authorities justify their treatment with the claim that they cursed the foreman.

GREENSBORO, N. C.
NEWS

MAR 1 1935
NOTE ON TWIDDLING
OF THUMBS.

RALEIGH, N. C., March 13.—A legislature lolls along, awaiting committee investigation into the torture of two Negro youths at the Mecklenburg chain gang camp. One would never surmise as the torturers of two Negro youths at the Mecklenburg chain gang camp, which necessitated amputation of their feet, revealed yesterday that amusement, as the case may be, another Negro worker, L. Bogan, that there are business items, long had died in the same camp last August under torture, while chained omitted measures and even a constitutional mandate, which might be transacted in the name of fairness.

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One needs to be told that this offense, to all practical purposes, is no longer punishable, and has not been

taken from the chain gang camp Carolina. Advancing public opinion has so decreed, but the responsibility rests with the Governor's of-

fice whence commutation of sentence comes. With the Taylorsville

exhibit before it, occurring during

the midst of a session in which the legislative fathers find time hanging Director, denied that the men's feet had been frozen, and claimed that "they only had 'trench feet'" and the statute, so that any chance slip would be fully cured "in a few weeks." He completely whitewashed the prison officials and their barbarous torture of these victims of responsibility, into harmony with public sentiment and the nullification of the hideous chain gang system. Yesterday he was forced to admit however much that may be Northern Carolina's way, which now obtains? that the legislative inquiry into practices at the Mecklenburg chain gang camp resulted in information In the same realm, although glossed over in official reports, which "leaves little doubt that" L. Bogan died there last August under torture.

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ishment was for warming their feet at an open fire during the cold spell. The authorities justify their treatment with the claim that they cursed the foreman.

Starting primarily as an investigation, it was necessary to amputate the feet of two negro convicts after they had been chained in solitary confinement at the camp, the legislators already had heard evidence discrediting official reports on the death of a negro inmate and attributing it to his having been suspended in chains for a long period.

A second death was brought into the record of the investigation by testimony of Manley Swaringen, former convict at the camp, who said a negro named Carter, who has not yet been fully identified, died at the county home in 1927 after receiving weekly beatings at the camp over a period of three months.

Previously Capus M. Waynick, dead and had been dead for a long chairman of the state highway and time." The prison physician at Raleigh, where the amputations occurred he had sufficient evidence to attribute the death of L. Bogan, negro convict, to his having been suspended upright in chains in the camp's "dark house," despite the fact that he had been arrived at although the reports at the time attributed death to this week's operation to heart trouble.

Woodrow Wilson Shropshire and James Barnes, negro convicts whose month ago. feet were amputated last week because of gangrenous infection, claimed they were frozen while chained upright in cause, and it should be determined whether the "dark house" as punishment for specifically if possible, whether minor rule infractions.

Dr. C. S. McLaughlin, county physician, attributed their condition to erysipelas or frigidity. erysipelas not traceable to prison causes, and he has been suspended from prison duties along with officials of both convict camps located in this county.

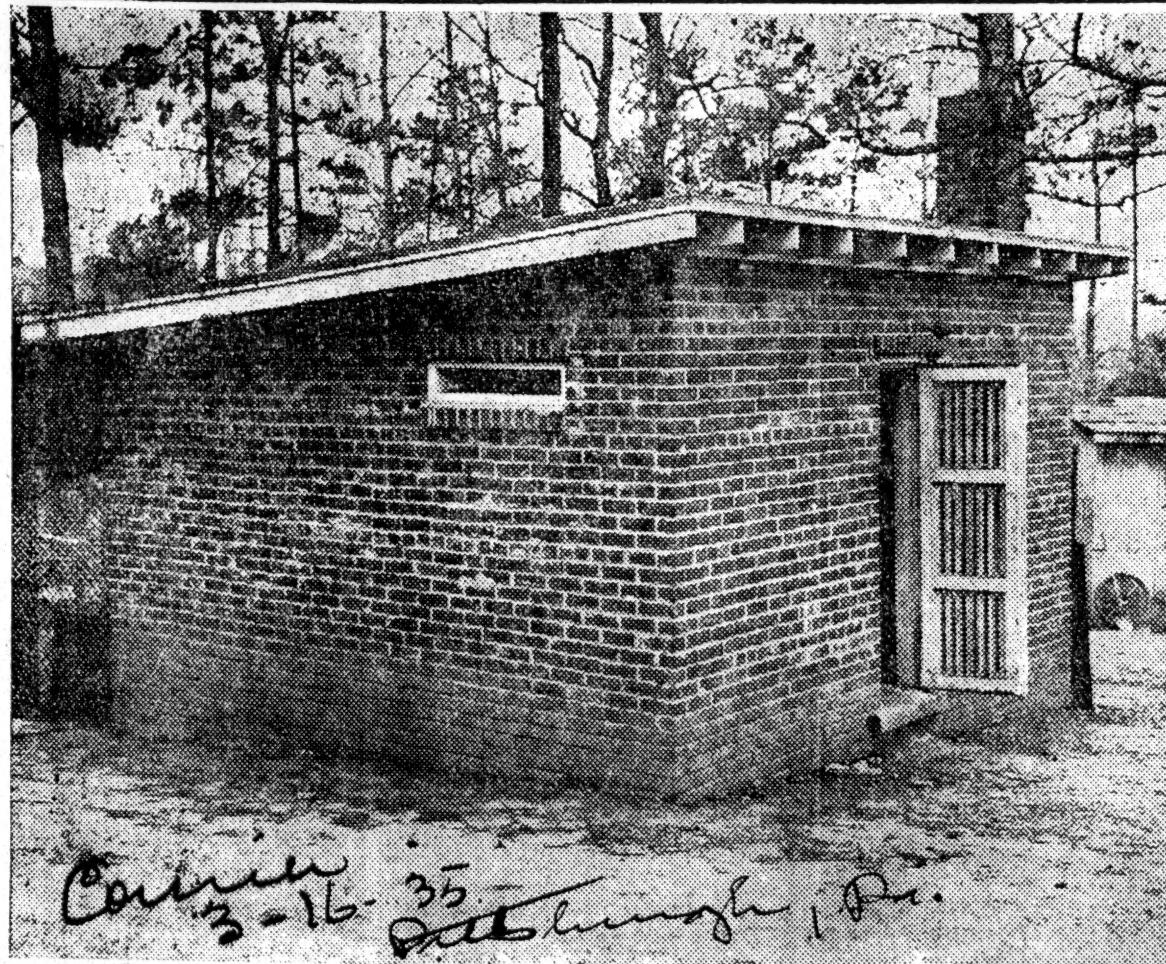
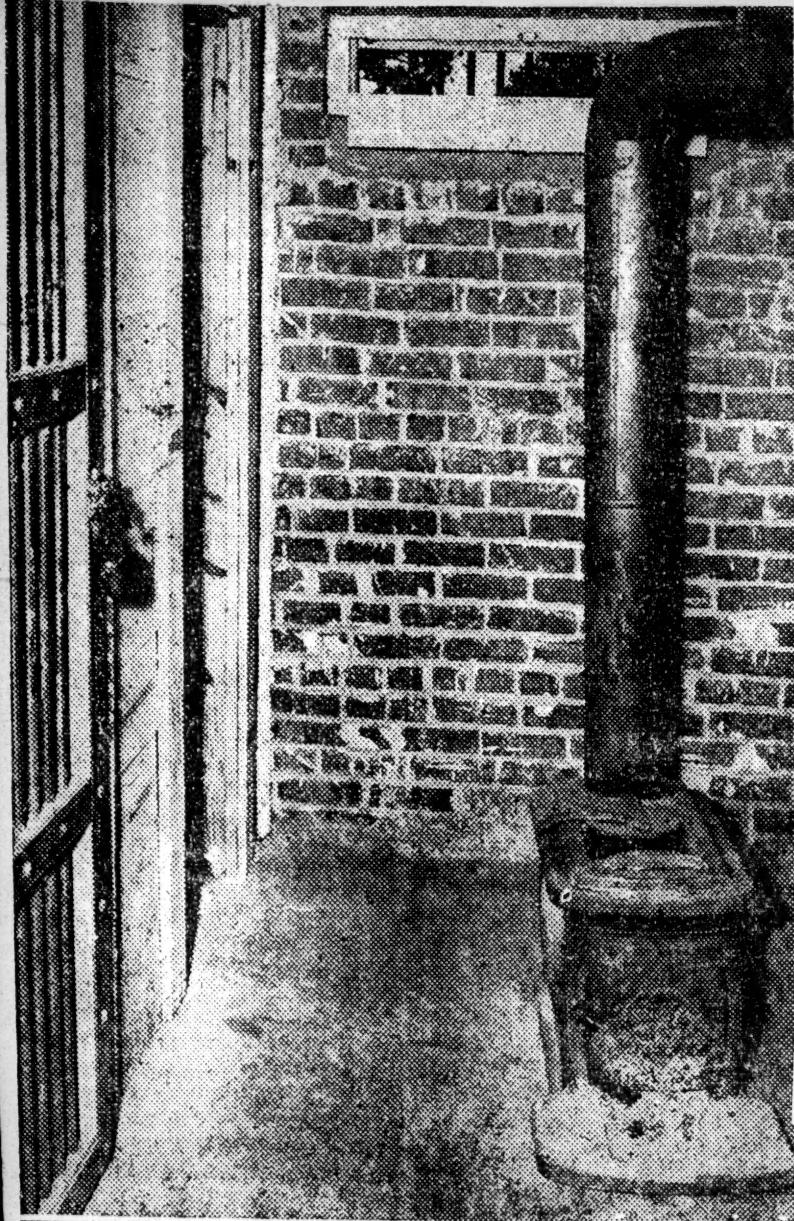
Fred Young, inmate at the camp, when Bogan died, said the negro was handcuffed in a standing position in his cell and had been in the cell 12 to 13 days before he died, and that he repeatedly begged for mercy, only to receive the curses of guards, who threatened additional punishment.

DAILY NEWS IS ALSO MOVED TO MAKE INQUIRY UPON A CASE NEARER HOME.

ANSWER.
North Carolina, substituting solitary confinement of prisoners for the lash, now has evidence before it that the substitute may not be such a successful approach to humanitariansm as it was generally chronicled.

Two young negro convicts, serving short terms, have just had their feet amputated as a result, they charge of treatment which was received at the hands of prison authorities in Mecklenburg county. There seems to be general agreement that the practices in Mecklenburg county which were alleged to have resulted in the death of two prisoners and the loss of both feet by two others. Testimony regarding hitherto un-

CAROLINA CHAINGANG CRUELTIIES CAUSE MEN TO LOSE THEIR FEET



inhuman treatment. They were forced to remain upright in dark cells in cold winter weather, it seems, until their feet were frost-bitten. It is to the credit of North Carolina that its citizens and its press have loudly denounced the system under which such a thing can occur and which will allow it to remain unknown until brought to light by accident. Just what the abolition of solitary confinement will mean we do not know; the frost-bitten feet in the case were the result of cold weather, not solitude.

This is the solitary confinement building, Charlotte, outside and inside, where two youths, Woodrow Wilson Shropshire, 19, and Robert Barnes, 20, convicts, say they were forced to remain barefooted during the severe weather of January by Capt. H. C. Little, veteran white chaingang boss at Charlotte, N. C. The boys face amputation of their frozen feet. (Petersburg)

Little denies their story and says he kept fire burning in the stove shown. Well, how did their feet freeze? Maybe they stuck them out the window (?) Oh, we forgot to tell you, the youths were handcuffed, standing up, to the bars of the cell door shown in lower photo for eight hours a day.

**PETERSBURG, VA.
PROGRESS INDEX**

MAR 25 1935

Old And New Cruelties

THE AUTHORITIES in North Carolina have ruled that there shall be no more solitary confinement for prisoners. This comes as the result of an unfortunate case in which two young Negroes had their feet amputated because of alleged

**CHARLOTTE, N. C.
OBSERVER**

APR 4 1935

OCCUPATION PREFERABLE.

As a matter of course, the two negro boys who lost their feet by reason of exposure and punishment in the Mecklenburg prison camp, have a claim upon the generosity of the State, but the proposition to adopt them as wards and help them to a life idleness, is a rather doubtful one. A better plan than that of placing them on a pension roll for life would be to provide them with mechanical feet which would enable them to engage in active occupation. There would be trades available for them and they could take their places among the legitimately occupied citizenship of the State. Plenty of trades would be open to them, and equipped for making a living for themselves, they would enlist a degree of public sympathy as they go along that would insure them no lack of "business."

Crime - 1935

Prison Camp Brutality

ONE THING we have not learned much about the petty offenders committed during all these years we have been becoming them. We place these inmates at the camp of Captain Henry Little who has been suspended pending the outcome of the investigation. Other incidents of inhumanities at the camp of Captain Henry Little who has been suspended pending the outcome of the investigation. Details as lurid of those sur-grene which the doctors here found whose feet were amputated two weeks ago, were confined daily for four days on a stretch. The youth's feet became frozen and had rotted from gangrene caused by manacles shackles they were required to wear and exposure. L. Bogan, another was the result of padding which the Negro youth, died while manacled, men had placed around their ankles between the shackles and their flesh covered last week.

Captain Little expressed the opinion that the condition of the men's feet which has been attributed to the from gangrene caused by manacles shackles they were required to wear and exposure. L. Bogan, another was the result of padding which the Negro youth, died while manacled, men had placed around their ankles between the shackles and their flesh covered last week.

Two prisoners serving short terms in a prison and embitters them against the camp for drunkenness and larceny cursed a guard society to which the great majority gan a prisoner last August while hanging suspended with chains in his cell and the forcing of castor oil down men's throats. who were then required to remain standing with the legs of their trousers tied to their legs. The cases of Shropshire and Barnes, according to information gathered by a legislative investigating committee have been traced back to an incident which occurred on January 29 which resulted in their being demoted to O grade and being confined to solitary cells.

Small wonder that the General Assembly has started a legislative investigation as a result of the wave of indignation that swept through every self-respecting and decent person. Small wonder that, with news of such torture reaching the far corners of the nation, people everywhere are wondering just how deeply, if at all, the niceties of "civilization" have penetrated this nation. And as if adding insult to injury, J. B. Roach, superintendent of the state's penal system, comes to the defense of his minions with this statement:

I made a careful examination of the camp employees, and I can't see any irregularity on the part of the superintendent or the guards. I'm confident there has been no neglect on the part of Captain Little, the superintendent, as far as I've been able to find.

Yet, what Mr. ROACH does know is that this terrible thing has happened, and under a penal system for which he is accountable to the people of his state. And what Mr. ROACH also must know, as does everyone else, is that cruel and inhuman treatment of inmates is common in prison camps throughout the country, and that only rarely does evidence come to light—evidence such as the bleeding stumps of legs which two of his prisoners must drag through life.

After all these years, we have not even begun to learn the curative science of rehabilitating criminals. Certainly, convict camps, such as the one under discussion, have no place in the government of a civilized people. Prisoners who serve their time in them come out a greater menace to society than they were before.

And yet we tolerate them. We tolerate jails and detention homes

for children which make felons o-practices of Camp No. 413 in Mecklenburg County came to light. Details as lurid of those sur-grene which the doctors here found whose feet were amputated two weeks ago, were confined daily for four days on a stretch. The youth's feet became frozen and had rotted from gangrene caused by manacles shackles they were required to wear and exposure. L. Bogan, another was the result of padding which the Negro youth, died while manacled, men had placed around their ankles between the shackles and their flesh covered last week.

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Negroes are regularly arrested on the most trivial charges, often framed charges, and given sentences of 90 days to a year on the roads. Thought unable to confirm or deny the truth of the prison captain's story a surgeon stated that he believed that exposure and cold contributed heavily to the gangrenous condition of the men's feet which required the operation.

In the House of the state legislature Friday where action of a pending liquor bill was sidetracked for consideration of this case, Rep. C. W. Spruill of Bertie County in moving that a committee be appointed to make a thorough investigation of the indictment said: "If they'd cut those poor Negroes' heads off and boiled them in oil, it wouldn't have been any more inhuman."

Exposure Mentioned of 90 days to a year on the roads. They are put under 'poor white' guards who have been taught by the bosses to "hate the nigger." These guards themselves are paid only \$45 a month. The whole system is reminiscent of the Dark Ages and the Spanish Inquisition.

This is "the peaceful relations between the races in the South," of which the N.A.C.P. leaders and other reformists pride.

**GREENSBORO, N. C.
NEWS****PENAL HORRORS
DISCLOSED BY
DEPEDITATION****Probe Follows Opera-tion of Two N. C.****Prisoners**

3-16-35

RALEIGH, N. C.—Two men, youthful, black and maimed for life, lie prone on beds at Central Prison here while prison camps dis-gorge, under pressure of deter-mined probes by three state agen-cies, more and more incidents which might have moved Dumas to confinement under the conditions al-ready outlined that the feet of the men began to swell. That was on of two Negro youths, a legislative committee has discovered that many out of each 24 handcuffed in an upright position to the bars of their cell. Five days additional confinement followed before they were dead of night.

Trouble on Fourth Day RALEICH, N. C., March 17.—While investigating conditions in North Carolina convict camps which led to the amputation of the feet of two Negro youths, a legislative committee has discovered that many out of each 24 handcuffed in an upright position to the bars of their cell. Five days additional confinement followed before they were dead of night.

The two men, Woodrow Wilson Shropshire, 19, and Robert Barnes, 20, have surgical science to thank for their lives—if their lives can now mean anything at all to them. But for the loss of their feet they have only bitterness for a commonwealth which in its crude attempts to make them better men succeeded only in making them helpless men.

Disclosure Expensive Still the condition grew worse and fanned in solitary confinement in a sweat box or dark room where men are confined in solitary confinement is an inferno. I to the cause of the plight which has never saw anything like it to torture human beings. I don't see how any man could stand for 10 to 12 hours daily for days at a time in such a "trench foot"; another "erysipelas"; and still another, one of the surgeons who

Symbol's they are, these two, of prison hospital here where it was found that their feet were dead and closed only through the loss of rotten. Might Have Died An emergency operation had to be placed and live." It was in this hell hole that

performed the double operation, that eringe.

"their feet were absolutely stone cold dead and had been dead for a long time." The prison physician at Raleigh, where the amputations occurred, merely declared "We don't know," no official diagnosis having been arrived at although the condition which led to this week's operations occurred more than a month ago.

Whatever may have been the cause, and it should be determined specifically if possible, whether trench feet, erysipelas or frigidity, to what extent did the treatment let it be hoped.

which the negroes received at the hands of the state and its employees contribute to its origin or aggravation? That is the question, in its specific and representative aspects, to which decent North Carolinians will demand an answer.

While on this general subject the Daily News is also moved to make inquiry upon a case nearer home. In our own Guilford county a negro has been shot in an affray was treated and dismissed from a hospital. Subsequently he was sentenced to the roads for his participation in said affray only to have

his wound become aggravated, infirily, refused to have worked and whatever the case may have cursed their guards, as the blame rests and let the axe fly, preliminary report suggests, but whether the responsibility lies with a result been convicted of manslaughter; but that intervening loss of feet by amputation follow-

term on the roads and effects of freezing in a cruelty of what the treatment to which the victim was certainly a "torture chamber" may or may not have been subjected for those "unwhipped" by justice. not as clear as it might be in some of the citizenry's minds.

GREENSBORO, N. C. RECORD

MAR 11 1935

Too Much Whitewash.

In the last few years, say the last five, some 50 to 75 prisoners committed to North Carolina penal institutions have died untoward deaths during incarceration. It is

hideous, indeed, is the loss of four feet which it would seem are common knowledge that flagrant mismanagement, gross neglect and

the terrible price of calling to attention of all North Carolina conditions in prison camps which we hope are not typical but which fear allow a barbarous type of discipline from which the state even more than its prisoners should

or punished. Too much whitewash has been used.

Now comes the case of the two Negro convicts, confined for short terms in a Mecklenburg prison camp following terms on the chain gang in Mecklenburg county for minor offenses, to be investigated; it is an investigation to which the fullest sup-

port should be given that those responsible be indicted, tried and sentenced to serve prison terms—under circumstances more merciful than they themselves imposed,

No amount of investigating or

correction can restore the feet of the two Negroes; nor can North Carolina relieve its conscience to any extent unless it makes cer-

tain that inhumane treatment of prison division, has declared he is

prisoners cannot bring a repetition going to see to it that no whitewash

is used this time. The Record believes Mr. Waynick means what he says. All power to him. This damnable atrocity smells to high heaven.

done the leash as an instrument of torture and discipline in its murky.

Turn on the light! Give

the whole prison system an airing!

Let the grand jury get busy. Figura-

tively, some heads ought to roll in

North Carolina. Find out where the

blame rests and let the axe fly,

but whether the responsibility lies with

a result been convicted of man-

slaughter; but that intervening

loss of feet by amputation follow-

or doctor.

From Elizabeth City (N.C.) Independent

Shocking conditions existing in

State Prison camp at Charlotte

have been revealed in a recent

Legislative investigation. The in-

vestigation was inspired by the

fact that two black

prisoners, strung up in solitary confinement,

suffered the loss of their feet by

freezing. No more than we can

expect in Southern prison camps

anywhere just so long as low down

white guards are employed to

handle Negro prisoners.

We had more horrible conditions

frightful chapters added to the sick-

down-right brutality of the most

Pasquotank about 20 years ago

hellish variety have been responsible before. The Independent exposed

for some of these deaths. There

conditions and brought about an

investigation that so shocked the

sensibilities of local people that

the chain gang in Pasquotank was

soon thereafter abolished. Negro

thug-guards to steel bars in frigid

torture crypts, of sick prisoners going

roads in pouring rain were permitted without medical treatment because of the hard-heartedness, gross ignorance or downright criminal negligence of those employed and paid by the state to attend them when ran a master chain when the convicts retired, locking this master chain to a post outside the bunk house—a dozen or more Negro convicts strung on a single chain, cretely in secluded spots in the black powerless to move about. These hours of midnight by hyenas that convicts were fed a daily diet of rancid fatback, boiled white beans, corn pone and molasses. In the face of these horror stories, that would be increditable were it not for the nature of the evidence

times a week they were given violent purgatives to move their bowels. But not permitted to leave their bunks at night, substantiated, there is heard the poor devils often were compelled suggestion that the state "return" to befoul themselves in their beds, to the lash as a form of punishment. For which they were mercilessly Return?

cow-hided next morning. The flesh of their ankles was cankerous with sores inflicted by their boy (Barnes)?

chains, their backs cankerous with sores from many lashings. He was handcuffed because he spilt Over in Gates County a weak-minded Negro prisoner confined in the county home, had one of his feet frozen one night for lack of bed clothing. The chairman of the board of commissioners amputated an Associated Press report was probed by Dr. J. T. Burrus, of

Guilford, in Raleigh yesterday in the course of the legislative investigation of the Mecklenburg prison camp brutalities. The answer was

Occasionally the public is given made by Woodrow Wilson Shropshire, while lying on a cot in central camp and their is a short-lived prison and speaking within hearing distance of James Barnes. Shropshire and Barnes, Charlotte colored prison camps can never be corrected until we change our guards. In feet amputated by surgeons in Raleigh, the operations being necessary, employed to handle Negro prison-they declare, because of treatment

ers are mentally and culturally but they received while chained in "solitary" at the Mecklenburg camp. Shropshire described life in the Mecklenburg hell hole as "worse than whipping," being "shot," or "anything"—worse than death!

It is true that the whip as a means of punishing convicts was banned by official edict in North Carolina prison camps several years ago. But in view of what this footless colored boy relates, in view of what other witnesses have said, and in view of what is generally conceded as being a fact, why kid ourselves by making use of the word "return" with reference to convict lashings?

It is possible, of course, that there may be camps in North Carolina where the whip is not used.

But can anyone name such a camp?

MAR 16 1935

Horror Tales Multiply.

Every day sees new and more

frightful chapters added to the sick-

down-right brutality of the most

Pasquotank about 20 years ago

horrors in North Carolina.

The state's investigators now have

before them, in the form of appar-

ently creditable evidence, reports of

the chain gang in Pasquotank was

soon thereafter abolished. Negro

thug-guards to steel bars in frigid

torture crypts, of sick prisoners going

Crime-1935

WILMINGTON, N. C.
NEWS

MAR 26 1935

CRIME IN NORTH CAROLINA

THANKS to Popular Government, here are some figures on crime in North Carolina that challenge attention. They are culled from superior court records only and do not deal with offenses disposed of by inferior tribunals.

The first startling disclosure is that the white man is replacing the negro as the chief offender. Whereas the negro was responsible for 50.7 per cent of all crime in the state for 1913-1914, he can be charged with only 36.8 per cent at present, while the Nordics have advanced from 49 per cent to 62.4 per cent in the same period.

On the other side of the ledger is the equally significant fact that whereas 72 per cent of offenders before the courts of North Carolina were convicted, nowadays only 66.3 per cent are found guilty.

Another point to be considered is that cases not pressed by the courts have jumped from 6.1 per cent to 18.7 per cent.

Strangely enough, the woman offender is from 6.1 per cent to 18.7 per cent.

Commenting on the increase in the number of white criminals, Mr. DILLARD S. GARDNER says:

"The annual number of crimes by Negroes has remained almost static during the past twenty years, but the number by white persons has steadily increased. Since the inferior courts dispose of large numbers of the less serious offenses, these figures do not necessarily indicate a decrease in the proportion of serious offenses, these figures do not necessarily indicate a decrease in the proportion of total crimes committed by Negroes, but may indicate merely a transfer of such cases from the Superior to the inferior courts. How-ever, since practically all major offenses are tried in the Superior court, these figures may indicate that white persons are committing more, and Negroes committing fewer, serious offenses. More definite conclusions on this point will have to await studies of the distribution of crimes by types of offenses."

WILMINGTON, N. C.
STAR

CRIME IN NORTH CAROLINA

THANKS to Popular Government, here are some figures on crime in North Carolina that challenge attention. They are culled from superior court records only and do not deal with offenses disposed of by inferior tribunals.

The first startling disclosure is that the white man is replacing the negro as the chief offender. Whereas the negro was responsible for 50.7 per cent of all crime in the state for 1913-1914, he can be charged with only 36.8 per cent at present, while the Nordics have advanced from 49 per cent to 62.4 per cent in the same period.

On the other side of the ledger is the equally significant fact that whereas 72 per cent of offenders before the courts of North Carolina were convicted, nowadays only 66.3 per cent are found guilty.

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North Carolina.

GREENSBORO, N. C.
NEWS

MAR 31 1935

A VICIOUS CIRCLE.

Prison officials and legislators are but running around in circles, a vicious circle too, if ever there was one, when they talk of substituting the lash for solitary confinement as a means of punishing unruly convicts in North Carolina.

The citizenry recall too well the atrocities which characterized the rule of Black Aggie and which finally led to repudiation of such viciousness in the name of all that was decent and humane. Solitary confinement took its place. However poorly the change may, in certain instances, have worked out, denial of the right of convict bosses to lay hands or strap upon their wards represented basic progress; it moved towards that ideal which can never be attained but merely ap-

proached.

member—and the Daily News venture with only 36.8 per cent at present, for hours on frozen pedal extremities to say does remember—is that while the Nordics have advanced inhumanities broke out again not from 49 per cent to 62.4 per cent improves of the most thorough investigation.

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and whose supervision or inspection of the less serious offenses, these failed to discover or do anything figures do not necessarily indicate about such outcroppings of bestiality, a decrease in the proportion of the as have occurred until a couple of total crimes committed by Negroes, short-term negro prisoners sacrificed but may indicate merely a transfer of such cases from the superior to the inferior courts. However, since

practically all major offenses are tried in the superior court, these figures may indicate that white persons are committing more, and Negroes committing fewer, serious offenses. More definite conclusions on this point will have to await studies of the distribution of crimes by types of offenses."

CHARLOTTE, N. C.
NEWS

(Wilmington Star.)

Thanks to Popular Government here are some figures on crime in North Carolina that challenge attention. They are culled from superior court records only and do not

deal with offenses disposed of by inferior tribunals.

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GREENSBORO, N. C.
NEWS

MAR 10 1935

PRISON CAMP CRUELTIIES.

While by no means accepting as

there is one thing that should be remembered before the public in

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there is one thing that should be remembered before the public in

Commenting on the increase in the number of white criminals, Mr. DILLARD S. GARDNER says:

Not that we would demand com-

placency. There, no doubt, is still

much room for improvement; but

if everything alleged in connector

with this exception to decent treat-

ment should be established as fact,

the rule of humane treatment would

be proven.

vict guard on the ground that he didn't know the difference between frost-bite and erysipelas.

RALEIGH, N. C. NEWS OBSERVER

APR 1 1935

Hard Question

Every person possessed of the rudiments of humanity must sympathize with the mother of Booker T. Watson, young Negro sentenced to die in the electric chair next Friday, who says that he would not be on death row "if he had his right mind." This young criminal, wearer of the fine Negro name of Booker T. is said to be only 15 years old and was even younger when he committed brutal murder. There is undoubtedly a question as to whether or not a state should kill a child. There is also, however, a question as to whether or not, if the State is going to kill anybody, it should not be most ready to kill brutal murderers of whatever age who have not their right mind and probably will never have it. It will be a terrible thing if the State electrocutes a child but it may be a worse thing if the State preserves a twisted criminal mind which may grow only to the man-hood of a menace.

Whatever decision is made in the case of young Booker T. Watson should be made carefully with consideration not only for him but for the safety of the society in which he would be preserved by executive clemency.

We do not want in North Carolina an heir to the idiotic criminal menace of the late Sunshine Jones.

NEGRO TESTIFIES

PRISON TORTURE *Telegraph*

Amputation of Both Feet Is Blamed on Alleged Cruelties of Convict Guards

4-9-35

CHARLOTTE, N. C., April 8 (AP)—A 19-year-old Negro boy, his leg stumps propped on a wastebasket because "they hurt hanging down."

today told a superior court judge of treatment he said he received at a prison camp which he blamed for loss of his feet.

He was Woodrow Wilson Shropshire, first witness called by Judge Don Phillips, sitting as a committing magistrate, began a judicial investigation of his case and the parallel one of Robert Barnes, 19, who was imprisoned with Shropshire.

Shropshire was rolled into court in a wheel chair to make his accusations against Capt. Henry C. Little and three guards at the camp near here, but Barnes was still too ill from his amputation to attend.

Little and the three guards are Negroes.

charged with assault with intent to kill the Negroes by leaving them in punishment cells without heat or medical attention until their feet frozen and became gangrenous.

The guards who face charges are J. W. Eudy, R. C. Rape, and T. M. Gordon.

Stands Nine Days

Shropshire testified today that he and Barnes were chained to the bars of a punishment cell by Rape, who built a fire which went out a few minutes later, leaving them standing on a concrete floor, in an unheated building, in January. Shropshire said he was chained standing nine consecutive days, after which he was advised to bathe his feet in hot salt water. Later he was given some salve which he applied. This continued for three weeks, he said, after which he was brought to Good Samaritan hospital, in the city, where it was determined amputation would be necessary.

He and Barnes, who was with him throughout, were then transferred to Central prison hospital at Raleigh, where the operations were performed.

CHARLOTTE, N. C., April 6.—(AP) Henry C. Little, former superintendent of a Middleburg (Charlotte) prison camp, and R. C. Rape and T. M. Gordon, former guards, today were arrested on warrants charging them with brutality to prisoners.

It was at Little's camp that Woodrow Shropshire and James Barnes, negro convicts, developed a condition necessitating amputation of their feet, incidents which brought on a legislative investigation of prison camp conditions and discipline of prisoners in North Carolina.

Little, Rape and Gordon were released under \$1,000 bonds for their appearance next Monday at a hearing before Superior Court Judge Don Phillips, sitting as a committing magistrate.

Winston Salem, N. C. SENTINEL

APR 2 1935

A Point of Privilege?

A car driven by a Negro in Charlotte sideswiped a police officer's car, then reentered into a parking lot. The officer followed and the Negro jumped from his car and attempted flight. Another Negro was near here, but Barnes was still too ill from his amputation to attend.

Little and the three guards are Negroes.

Laymen are often the victims of side-swipers and hit-and-run drivers, but state prison authorities are debating the question of returning to the use of the lash as a means of punishing unruly convicts. This proposal has grown out of the recent exposure of conditions existing in the Mecklenburg prison camps.

In London the policemen are not allowed to carry guns of any type. The wonderful efficiency of Scotland Yard is maintained by standing nine consecutive days, after which he was advised to bathe his feet in hot salt water. Later he was given some salve which he applied. This continued for three weeks, he said, after which he was brought to Good Samaritan hospital, in the city, where it was determined amputation would be necessary.

Nashville, Tenn., Tennessee

April 12, 1935

Penal Tortures.

Tortures of a severity almost beyond belief in the Twentieth Century have been dealt to negro prisoners in a penal camp in North Carolina, according to testimony given at a hearing at Charlotte early this week.

A 19-year-old negro boy sitting with leg stumps propped on a waste basket, because they hurt him when hanging down, told a court of inquiry of brutal treatment he had received at a convict camp which he blamed for the loss of his feet.

He and another negro of his age, he testified, were chained to the bars of a dark punishment cell in January. At night they were allowed to lie down, but each morning they were chained in a standing position. The fifth day the negro's feet became so swollen that his shoestrings popped and he was not able thereafter to get his shoes on, he told the court. He was then required to stand shoeless on the concrete floor of his cell. One negro died chained to a standing position in the dark cell.

These details do not make pleasant reading. The negroes might have exaggerated their hardships, yet there were the stumps of their legs as evidence of their mistreatment. And after they told their stories and other timid negro witnesses had been heard charges were filed against two more prison officials in the torture case. The camp superintendent and camp physician were included in warrants already brought against the other four.

Such cruel treatment of prisoners belongs to the dark ages and any state which permits such conditions as were described at the Charlotte hearing to continue automatically places itself in that era. North Carolina, however, seems to be making a thorough investigation of the treatment these prisoners received and hope is encouraged that those responsible will be punished and steps taken to prevent such inhumanities in the future.

Winston Salem, N. C.

JOURNAL

APR 4 1935

Back to the Lash?

According to information from Raleigh A prison camp in a sense forms a cross-section of society. The prisoners represent various temperaments and character types, some responding commendably to humane treatment, others of the more vicious classification refusing to comply with rules and regulations until compelled to do so. In dealing with the latter, officials may be justified at times in resorting to corporal punishment or its equivalent, in order to force compliance and maintain order.

There is no doubt but that somebody was guilty of culpable negligence in the case of the two Mecklenburg Negro prisoners whose feet were allowed to freeze while they were manacled in solitary confinement. The very system here seems also to be sadly at fault. But is it if inhumane and intolerable for the prison officials to resort to the use of the lash?

Much probably would depend upon the extent of its use and the manner thereof. The trouble is that once again officially recognized, the lash is likely to fall into the wrong hands. If the State could devise some satisfactory and effective substitute that would impress even the most incorrigible prisoners, the lash should remain taboo. And there is a possibility that the worst of prisoners might respond to better treatment. While many are "mean" when they arrive at the camp, others may become so in resentment over the wrong kind of treatment.

Crime - 1035

North Carolina.

ROCKY MOUNT, N. C.
TELEGRAM

CHARLOTTE, N. C.
NEWS

APR 3 1935

Hearings On Clemency

Parole Commissioner Gill will conduct hearings today to determine whether Booker T. Watson, 15-year-old Nash county Negro, is entitled to a commutation to life imprisonment of his sentence of death. There is, admittedly, a strong doubt that Watson will ever develop into a worthwhile citizen. Should he put aside all thoughts of mercy in dealing with this case, it is safe to add that were the life of Booker T. Watson taken by the State car had collided with the officer's car, and when the man broke away and ran there was nothing else for the standard, let us add, North Carolina can move numbers of citizens without suffering economically or socially. On the other hand State which adopted such a policy would, to justify its course, have to create an opportunity first of all for citizens to become valuable units in the scheme of living. In as far as this Nash county Negro boy is concerned, he grew up in an environment not wholly unlike that of the jungle where the fittest to live endure the longest.

Watson shot a man to death in cold blood. In this case the man was, from all reports, a good citizen, a landowner, a valuable man in his community, a father. And the first reaction to such a crime is that the man who perpetrated it should be weeded out. That, to say the least, is the normal reaction. But society has never reached the point that it will agree to the elimination of misfits nor has it developed any sort of a classification by which men and women can be regarded as misfits.

We disagree with the death sentence pronounced on Watson because he is fifteen years of age, because in all his life he never had an opportunity to understand the complete futility of his course. We do not entertain any hopes that he can be of the least value to North Carolina but that does not relieve North Carolina from a responsibility in this matter.

CLEMENCY WELL BESTOWED
The Daily News finds itself in thorough accord with Governor Ehringhaus' last-minute extension of clemency to Booker T. Watson, Nash county negro youth, who was sched-

uled to die in the chair Friday. It was a crime of passion instead of unless Governor Ehringhaus intervenes.

Life imprisonment is nothing for a 16-years-old youngster to look forward to, but there must be more satisfaction for a sentient citizen in whose name Booker T. Watson, just at the Boy scout age, would otherwise have been marched into the field of justice before the law

NOTE ON EQUALITY. Comparisons are odious? Odious

Comparisons are odious; yet if they are justified any

otherwise have been marched into the field of justice before the law

the city police department was "strained, with current coursing is hailed as the highest governing

little hasty" in winging a calcitrant Negro last week, the physician, turned from deeds of mercy to extinction, pronounced him

Daily News approaches the case of

Booker T. Watson, 15-years-old ne-

gro, who at present is on death row

and mentally he was credited with following his conviction of the mur-

der of Hinsey T. Williams, Nash

two Negroes claimed mistreatment

being only seven or eight, the equal-

ity of justice was involved. He was

county farmer, on whose place he

which resulted in loss of their

nobody in whose fate very little lived. Over against it is placed the feet is not unexpected inasmuch

case of Alfred Denton, white lad

as word had been passed among

ignorant ones that the prison

the slayer of Theo Tant, a farm

guards had been stripped of pow-

neighbor in the self-same county to enforce orders.

MUTINY flaring up in the Meck-

lenberg prison camp where

two Negroes claimed mistreatment

the unacceptable sense of the word

14, broke onto the front pages as

the slayer of Theo Tant, a farm

guards had been stripped of pow-

neighbor in the self-same county to enforce orders.

This so-called "mild rebellion"

Watson, as the Daily News recalls, is the outgrowth of conditions

shot his landlord immediately aft-

plus ignorance, not so much in-

er a row which occurred one Sunday

afternoon while he and Williams'

son and several other boys were

playing in the Williams' yard. Or appears to have been

shocking

dered home, the negro returned

cruelty in handling of the camp.

shortly with a shotgun and killed

Chairman Waynick in his per-

sonal investigation of prison camp

unless our memory serves us false, was

conditions finds that torture was

that the boy hid in a tobacco barn not confined to the two surly

and shot Tant as he drove by on a prisoners now footless — another

wagon. Tant had been accused of Negro died there last summer

molesting Denton's still. The case

attracted major interest, with press,

pulpit and sentiment generally ral-

going the same form of punish-

lying to the boy's side. But that

ment administered to the two now

gets into the realm of punishment, crippled men. "The fact," said

which deserves a paragraph to it- Chairman Waynick, "left no

self.

The white boy was sent to Jack-

son training school, where he spent

approximately three years before be-

ing dismissed by the state back to direct action to correct prison

his old surroundings, influence and abuses is forthcoming. The miss-

environment which now, incident-

ally, have again landed him in

the toils of the law. In contrast,

the black boy, who has had scarce-

ly a voice raised in his defense, was made a guarantee that never

found guilty of first degree murder again will negligence, ignorance

and now awaits the death penalty or indifference on the part of

State employees to provide adequate pital, and thence to the state and the iron shackles, stopping and his associate commissioners, quate care and treatment make pos-prison in Raleigh. There, in or- the circulation of the blood in to present to the next legisla-sible revelations of similarly cruelder that their lives might be the lower limbs and thus pro-ture a demand—present it not and inhumane treatment as in-saved, their feet were ampu-ducting the gangrenous state in a perfunctory manner, but dictiont against this state. tated.

Chapel Hill, N. C. Weekly
July 26, 1935

Nobody Is Guilty

We predicted several weeks ago that the officials accused of torturing and maiming two Negroes in the Mecklenburg county prison camp would be acquitted. This was no evidence of any un-tried only on counts of neglect which is outraged when usual gift of prophecy on our part. Among citizens with any assault with a deadly weapon with intent to kill, an far neglected that their feet law, probably not one in a thou-ndictment under which of freeze or rot within eyesight and and expected any other verdict; course there was not a chance calling distance of adequate yet probably not one in a thou-conviction. medical attention.

sand doubts that the prisoners were treated with outrageous brutality. When the trial ended the evi-dence of brutality had not been controverted. Yet, by reason of in God's winter or in the desper-

Shropshire and Barnes, youths technicalities of the law and the atenness of man's folly. The most 19 and twenty years old, were persuasive powers of the attorney ignorant of lay attention would sentenced to short terms on the neys for the defense, the ver-have indicated long before the road, one for being drunk and dict is that none of the camp period of solitary confinement disorderly, one for larceny.officials was guilty of any act was completed that the Negroes Placed in solitary confinement for which he deserves punishment were dangerously sick men. for some infraction of discipline, ment. Cruelty was wrought— "The Mecklenburg court per-they were handcuffed to the bars but nobody is guilty. It is elo-emptorily swept aside all sug-gestions that the two Negroes the time they were thus confined, the machinery of justice that had been tortured. If this isn't the temperature was 21 degrees the reaction of the ordinary torture, then we need a new below freezing. Their cells were man, when he reads the news-word for whatever it is. heated by a small stove in paper despatch announcing the "We need also a determina-which the fire quickly burned result of the jury's deliberations, tion that it shall not happen out. By their testimony the is reflected in the cynical ques-again."

fire was built once a day, by a tation: "Well, what else did you We are moved to inquire trusty's testimony twice. Their expect?"

what, if anything, has been done to the a result of the disclosures in the feet swelled so that they could "The jury may have been im-by the state prison authorities not wear their shoes and must pressed with the defense asser-to make sure that such an out-stand in bare feet on a concretions that Shropshire and Barnes rage cannot happen again. As floor. Nine days of this; then damaged their own feet to the a result of the disclosures in the three more days of solitary con-point where amputation was im-case of Shropshire and Barnes, finement when, though not perative," says the News and has the inspection system been "hung up" as they had been, Observer. "The jury may have improved? Has any effort been they were still in cold, dark believed, even as the defense made to re-examine the prison cells; then out in the camp where urged it to believe, that during camp personnel with a view to their frozen feet, growing stead-the long winter days of their getting a better grade of men for ily worse, were treated with a solitary and shackled confine-superintendents and guards? salve for "erysipelas." Finally, Shropshire and Barnes Has any decision been made, by they were taken to a nearby hos-stuffed cloth between their legs Chief Commissioner Waynick

which brought them to the oper-vigorously—that the salary level

Five prison camp officials, in-ating table just outside death's be so raised that positions in the cluding the camp physician, were door.

put on trial. The original indict- "All this may satisfy the jury decent men? We believe the ment of "feloniously torturing and the officials of the state people of North Carolina would and maiming" the prisoners was prison system who directly and be interested in answers to these torturing and maiming two Ne-quashed. The charges against indirectly are involved. But it questions.

White Supremacy Wins By a Close Margin

A GRUESOME story of chain gang torture—this time from North Carolina has just come to public attention. Two young Negroes, serving a term on a charge of petty larceny, had their legs amputated half way to their knees in order to save their lives. Their four remaining stumps were exhibits A, B, C, and D in a lawsuit charging the convict camp captain, three guards and the camp physicians with assault with intent to kill. It was a lively two weeks' trial with the usual conflicting testimony. The Negroes said that they were manacled upright ten hours a day for nine days, last January. They told how they "froze night and day" and screamed for help, how each received a half biscuit and a half inch of water in a tin pint cup twice a day, and how, in March, their feet swelled and "burst" their shqes. The defendants denied mistreatment, contending that the feet were not frozen but that the prisoners induced a gangrenous condition by wrapping rags too tightly about them. Captain Little, one of the defendants, said at the trial that the method of punishment prescribed by the state authorities was "the most inhuman thing" he ever heard of. The defendants were acquitted by a narrow margin but at least one bright ray has emanated from the whole tragic procedure. The Greensboro Daily News, in a scathing editorial, says that "Shropshire and Barnes

walked into the state's custody upon their own feet. While under the guardianship of the magnanimous commonwealth they lost them... If superinducement of gangrene and subsequent amputation of both feet do not constitute torture, what . . . would, in North Carolina?" A distinguished Methodist minister writes that whereas "white supremacy" has won for the moment, public opinion in the state is thoroughly aroused against the whole reeking prison system and its inhuman tor-tures. All of which indicates that the south is on the way to demonstrate its ability to deal honestly with its own peculiar race problem.

They had summoned as witnesses. Placing of the names on the lists, Chairman George L. Stansbury, of however, does not necessarily mean the board of county commissioners and Register of Deeds R. H. Wharton, negroes will soon sit on the juries. In the words of one of the defense clerk to the board, by whom they lawyers responsible for filing the motions, it will not, in the long run, planned to show that negro names mean a thing since prospective negro jurors will be stood aside, for had not heretofore been placed in the jury lists.

When the motions were filed, Judge P. A. McElroy, who is presiding over the one week term, recessed court for a short while in order to give Solicitor H. L. Koontz time for a brief conference. When court reconvened, the prosecutor asked that the case be continued until the June term.

"These motions," he said, "were not filed with me until 10:16 o'clock." He explained that he wanted time "for a careful and proper study" of the facts involved.

At this point, Glenn Henderson and Worth Henderson, counsel for Parrish, moved their client's bond be reduced to \$2,500, which was agreed to by the solicitor and allowed by the court.

Continuance of the case left the motions in the pending status. It is likely Judge McElroy will rule on them at the June 17 term.

Koontz Declines Comment.

Asked after court if he had any comment to make on the motions, Solicitor Koontz said that he had not, except that they were "matters of some significance" and that he would like first an opportunity to "think the thing through before making any comment."

Setting forth that Defendant Stewart is a member of the negro race, the motions allege that the bill of indictment "found and returned 1934, of Miss Ethel Smith from the superior court of racial discrimination the board of county commissioners, and resulted in the continuance of the case charging Dr. C. C. Stewart, clerk to the board, by whom they negro physician, with murder and planned to show that negro names had not heretofore been placed in

Move That Indictment Against Negro Physician Be Quashed Because Negro Names Were Excluded From Jury Lists.

Exception to Trial Venire Also Filed—As Result, Murder Case Is Continued Until June.

Absence of negro names from grand jury and petit jury lists yesterday brought allegations in Guilford Su-Chairman George L. Stansbury, of persons of African descent were excluded from the jury lists of Guilford county from which grand and petit jurors were selected," the exclusion of the negroes being "solely because of their race or color."

Following the death November 29, the jury lists. When the motions were filed, against him is invalid and void and should be quashed because members Dr. Stewart and Ollie Parrish, younging over the one week term, recessed of the said negro or black race and white man, were charged jointly with murder by the grand jury. In addition, the physician was charged with abortion, the white youth with aiding and abetting abortion. At a previous term of Superior court, the

state announced it would not seek to convict the defendants of more than second degree murder in the capital case. Dr. Stewart was released under \$5,000 bond. Parrish was remanded to jail in default of a similar bond.

At this point, Glenn Henderson and Worth Henderson, counsel for Parrish, moved their client's bond be reduced to \$2,500, which was agreed

File Motions To Quash.

As the case was called for trial to the solicitor and allowed by Wednesday, Norman Boren, Judge Spencer B. Adams and Allen Adams,

counsel for the negro physician, filed motions to quash the indictment and the trial venire on the grounds that negro names were excluded from the jury lists. They also filed an exception to the trial venire. Their action

was based on the recent United States Supreme court decision which found error in the Scottsboro, Ala. case because it appeared no negro "think the thing through before names had been placed on the jury making any comment."

Setting forth that Defendant Stewart is a member of the negro race, Their action brought North Carolina, for the first time since reconstruction, face to face with the question of negro jurors.

Counsel Prepared to Argue.

of the said negro or black race and persons of African descent were excluded from the jury lists of Guilford county from which grand and petit jurors were selected," the exclusion of the negroes being "solely because of their race or color."

It is alleged that this exclusion denied the defendant "the equal protection of the laws of the United States and abridged the privileges and immunities that are his by virtue of the aforesaid United States citizenship."

No Negroes On Jury Lists.

The motions further recite that "not only was racial discrimination practiced in the selection of the grand jury aforesaid and of the lists from which the same was drawn, but for a number of years no member of the black or negro race and no person of African descent has served on any grand or petit jury or has been placed on the lists from which the same are drawn in Guilford county."

Court observers differed on the effect of the action with respect to the case in question, but most of them agreed that it ultimately will mean the placing of negro names on the jury lists not only in Guilford but in other counties of the state.

Placing of the names on the lists, however, does not necessarily mean negroes will soon sit on the juries. In the words of one of the defense lawyers responsible for filing the motions, it will not, in the long run, mean a thing since prospective negro jurors will be stood aside, for one reason or another, in capital cases involving a negro as a defendant.

Knoxville, Tenn. News Sentinel

March 19, 1935

Our Medieval Prisons

SHOCKING conditions are revealed in North Carolina prisons following the story of two Negro convicts tortured in shackles until it was necessary to amputate their feet. A legislative investigation shows that convicts are underfed, beaten and brutalized for minor infractions of rules.

Some are forced to stand upright for eight or ten hours a day on cold floors their ankles bound in irons, their arms shackled to bars. The committee now is searching for graves of alleged victims said to have suffered death at the hands of prison guards.

Such sadistic practices are not confined to North Carolina. They are all too common in America's schools for crime, its city and county jails, workhouses, chain gangs, reformatories and penitentiaries. Although denounced by every intelligent criminologist, extreme punishment continues to be the rule in most institutions.

Nearly four years ago the Wickersham

Commission found the whole American penal plant a gigantic failure. Each year through the 3000 penal institutions of the country there passes a procession of nearly 400,000 persons. The great bulk of them come out unregenerate and dehumanized. Politics, favoritism, overcrowding, idleness, disease, poor food, poor medical care, poor ventilation, and torture have left their stamp upon them.

Mounting crime statistics prove the failure of the old but undiscarded methods. Prison cruelty does not pay. It makes men into public enemies, inspires prison riots, degrades whole prison populations.

"Instead of cowing one man," said the Wickersham Commission, "repressive rules and tortures have aroused a hundred to greater hatred and discontent."

North Carolina

Crime-1935

WASHINGTON, D. C.
NEWS

JUL 23 1935

ATROCITY STORY

FROM North Carolina comes an atrocity story shading anything that has yet emerged from the Italian-Ethiopian propaganda zone.

Last January two Negro convicts were confined in the chain gang's "dark house," on the charge that they warmed their feet against a fire contrary to a guard's orders. In March the convicts' legs were amputated just below the knees. They said they were forced to stand in freezing weather 10 hours a day for nine days and that their feet froze. Three prison officials, arrested and tried for assault, denied this. They said the men had made amputation necessary when they stopped circulation by padding leg-irons with rags and strings. The legislature provided the victims with artificial legs and gave them sinecure jobs for life. The jury acquitted the prison officials.

But North Carolina does not stand acquitted of penal cruelty. A legislative committee found chain gang convicts starved, beaten, brutalized and tortured for minor infractions of prison rules.

Such barbarities are not confined to North Carolina. They are far too common in the work houses, chain gangs, city and county jails and state penitentiaries thru which 400,000 men pass each year for the most part unregenerate and impenitent.

Cruelty practiced on prisoners never pays. It confirms men in crime and makes them public enemies.

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**COLUMBUS, O.
CITIZEN**

JUL 25 1935

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by padding leg-irons with rags and strings. The manacling and other torment mentioned. Legislature provided the victims with artificial legs. And yet, merely because their feet froze and gave them sinecure jobs for life. The jury and became gangrenous and had to be cut and sawn off, they were guilty of the base and acquitted the prison officials.

But North Carolina does not stand acquitted of despicable ingratitude of charging that their penal cruelty. A legislative committee found chain-gang convicts starved, beaten, brutalized and tortured for minor infractions of prison rules.

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**NORFOLK, VA.
LEDGER DISPATCH**

Black Scoundrels Froze Themselves

In the long, long history of crime in the Southern states, few more atrocious offenses are recorded than those black crimes committed against the peace and dignity of the sovereign State of North Carolina by two short-term Negro convicts in a prison camp near Charlotte.

During the cruel cold of the winter, these malefactors were kindly condemned by those placed over them—or by one of those placed over them—to stand chained in an unheated cell for nine days, off and on. What dastardly crime they had originally committed to bring upon themselves short terms in a prison camp, under the tender ministrations of the gentlemen of their guard, is not recalled. Nor does a faulty memory bring to mind the infamy which caused their thoughtful guardians to punish them, far more in sorrow than in anger, for their hideous violation of some wise prison-camp regulation by subjecting them to the trivial, almost childish, torture of shackled confinement in a standing posture in a nice, cold cell in the camp.

Whatever fearful offense they had committed before their sentence and whatever brutal violation of prison-camp rules and regulations they had dared perpetrate, kindness and mercy induced their soft-hearted keepers to refrain from inflicting any deserved punishment upon them—other than the slight

good keepers were responsible both for their long agony, for the freezing of their feet, and for the simple little amputations which merely maimed them forever. Some persons in North Carolina, and elsewhere, actually believed these foul slanders. Even the Legislature of North Carolina, after an investigation, accepted the word of these criminals—and, remember, they were nothing but Negroes—and voted to provide them with artificial limbs and to place them in permanent jobs in Raleigh. Worst of all, some misguided grand jury went so far as to indict five former officials of the prison camp in which these degraded Negroes had been kept at the expense of the state.

But justice will be done, though the heavens fall. All five of the wickedly accused officials have been acquitted—two of them by order of the presiding judge and the other three by the unterrified jurors of Mecklenburg County, who, to their eternal honor, refused to permit the state or any of its officials, however humble, to be maligned, bullied, mistreated or trodden upon by lame Negro miscreants. Of course, there was something back of the vicious charges made by these Negro convicts against the public servitors who were charged with the duty of holding them in custody. And the defense, with something of knightliness, brought out that something. THE BLACK SCOUNDRELS HAD FROZEN THEIR OWN FEET OFF! They had wrapped rags and cords so tightly about their ankles that they had cut off the circulation of their blood! Deliberately and wantonly—and, we take it, for the purpose of bringing obloquy upon their keepers—they had frozen their own feet off!

What a tribute it is to the inexorable character of justice that this black crime was discovered in time to save the brave and faithful officers of the prison camp from unjust punishment. We must console ourselves with that reflection, even while we realize that somewhere in this foul thing there is something of Hell itself.

GREENSBORO, N. C.
RECORD

JUL 22 1935

Acquitted!

A jury of Mecklenburg county citizens—"good men, and true"—finds that Capt. Henry C. Little, veteran prison camp superintendent in Mecklenburg, did not "assault with intent to kill" the "sassy" young negro convicts, Woodrow Shropshire and Robert Barnes. Further, the jury finds that the gangrenous condition which necessitated the amputation of these negroes' feet is not chargeable to mistreatment or neglect on the part of the "prominent" Charlotte medico, Dr. C. S. McLaughlin, prison physician, nor R. C. Rape, prison guard. With the acquittal of the three convict camp officials, a North Carolina Superior court, in effect, writes for the trio a clean bill of health.

The prosecution charged that these darkies, short-termers, were chained to their cell bars in solitary confinement last winter at the Mecklenburg camp, that their feet "froze," and that they were almost starved. Admittedly, the negroes' feet were almost "rotten" when their condition was finally revealed to the public through a Charlotte newspaper, and when state employed surgeons cut the feet off. The Mecklenburg jurors were obviously impressed greatly by defense evidence to the effect that Woodrow and Robert tied cords and strips of cloth about their ankles, thus cutting off circulation, and necessitating amputation.

Character witnesses and others testifying for the defense gave Captain Little, Dr. McLaughlin and Guard Rape excellent characters. Woodrow and Robert were, it was implied, just a couple of ne'er-do-well "niggers." Was it not presumptuous for them to protest the acts of a great state? Of what consequence were they? They had no wealth or influence. They were ignorant and shiftless; and, had they not been convicted of crimes? Perhaps the state performed a generous act in having its doctors save their lives by cutting off their feet. And

did the state not furnish a solicitor and an assistant solicitor to appear in their behalf against the state's own officials who were charged with "torturing" them? Had they no gratitude?

However, the fact stands out that these negroes—and are they not, after all, human beings?—were helpless and wholly in the power of the state when the trouble with their feet first began. This, we believe, was brought out in evidence offered during a trial lasting two weeks. It appears, then, that the negroes' feet developed a gangrenous condition while they were in a North Carolina prison camp and that their feet were "freezing" or "rotting" while they were, obviously, in easy calling distance and in eyesight of the state's agents entrusted with the care of prisoners.

If no crime was committed against these footless negroes, then, presumably, we must assume that other Woodrows and other Roberts may,

France, charged with criminally assaulting a white woman, were blasted here Saturday afternoon, jury of white men found him guilty, August 10, when several members returning their verdict about 1 o'clock Saturday afternoon. Judge Rousseau promptly sentenced Johnson to be put to death by lethal gas at the state penitentiary at Raleigh on September 27.

Victim on Witness Stand

The verdict was received without demonstration by a filled court room. The defendant showed no emotion, but received the verdict in resigned manner.

Heavily guarded by state patrolmen, Johnson was removed almost immediately to the state prison at Raleigh.

On the witness stand, the elderly Miss Grogan positively identified Johnson, whom she had known for some years.

Sheriff Sheffield travel 1,200 miles in search of Johnson during the six months following the crime. He was arrested in Charleston, W. Va. for beating Mrs. F. Guy Ash, wife of the adjutant general of West Virginia

on a jury in Rockwell County where the charge was rape.

It was the first time since the United States Supreme Court's Scottsboro decision that Negroes had been called for prospective jury duty in the state in the case of a member of their race charged with criminal assault in North Carolina.

The sheriff before the trial said

"feeling is running high in Leaks-

ville," where France was charged with the attack on Miss Grogan.

August 22, 1935

A Question of Ethics

The fatal shooting of a Negro convict who was fleeing from a state highway prison camp near Hendersonville brings to the front again the question of

Hendersonville brings to the front again the question of whether guards are not exercising too much authority by blasting away at fleeing prisoners. Whether the guards are given

this authority by superiors or whether they assume it is secondary; the point is that in so doing they are undertaking to act

Johnson related to the sheriff details of his six-months flight from the law, telling how he managed to escape a posse in Henry County after he had been seen and pursued.

Describes Escape

The fugitive concealed himself for two days in Rockingham County, near the scene of his crime, he told the sheriff. On the second day he went into Henry County where he was chased by a posse, and escaped by wading into a creek and hiding beneath the boughs of an overhanging tree near the bank, he said. He also went to Norfolk and Roanoke, stopping in transient shelters.

Sheriff Sheffield quoted the accused as telling his attorneys, Joe W. Garrett, of Madison, Jules McMichael, of Wentworth, and D. F. Mayberry, of Reidsville, all white, that he was indifferent as to whether it is better that they escape than he was tried by jury or pleaded guilty. The attorneys decided to permit that they be shot down for at-

MAN IN CASE DOOMED TO DIE BY GAS

**George France, Alias
Jake Johnson, Gets
Extreme Penalty**

CONFESSION MADE

**Prosecution Rejects
All Colored Tales—
Men Called**

WENTWORTH, N. C.—(ANP)—Hope that Negroes would be on

tempting it. After all, to kill a man for trying to break away from a prison camp is in effect saying that attempted escape is a capital offense as deserving of death as murder. Yet everyone knows this is not true.

Moreover, to allow guards to shoot fleeing prisoners is to allow imposition of the death sentence without trial and without conviction. This is a reversion to the autocratic tyranny of the middle ages which has recently been revived in Germany and Russia but which is not condoned in the United States.

'CRUELTY' RECITED

*Carolina Negro Tells Court
of Imprisonment*

CHARLOTTE, N.C., July 10.

(P)—A story of nine days' imprisonment in a dark cell with his feet and hands shackled and a food ration of two half-biscuits daily was related intent to kill.

Defense Blames Victims The state charged that Shropshire and Barnes, short-time officials charged with mistreating victims, were confined last winter in an unheated cell, and that their feet froze, necessitating amputation, from gangrenous infection.

The defense, denying mistreatment, sought to show that the men were responsible for the condition of their feet by wrapping rags and cords about their ankles, curtailing the blood flow.

Assault charges against Dr. McLaughlin and Rape were dismissed to stay in the "dark house" of the chain gang, and were manacled upright ten hours completion of evidence. The three

Shropshire said a small fire was started in the dark cell each morning but it soon burned out and from then on until the next morning he and Barnes would be without heat.

The defense contends the gangrenous condition of the negroes' feet was caused by their wrapping cloth tightly about their ankles under their shackles.

The five defendants are Henry C. Eudy, for 46 years a chain gang week. Shropshire and Barnes, the boss in this county; Dr. C. S. McLaughlin, and three guards, T. M. Gordon, J. W. Eudy and R. C. Rape, witnesses. All defendants were white.

Men Whose Feet Rotted See Three Freed of Torture

Baltimore Md
N.C. Jury Acquits Prison

Officials as Court Reduces Charges.

VICTIMS SHACKLED TO ICY CONCRETE

Feet Were Cut off to Save Their Lives.

CHARLOTTE, N.C.—With the of blanket to keep the iron from Mecklenburg Superior Court pre-the skin. Their feet swelled until temporarily sweeping aside all sug- the strips became imbedded in the gestions that Woodrow Shropshire flesh.

and Robert Barnes, whose feet were cut off after solitary confinement, had been tortured, a jury days and then spent eighteen days acquitted three white former con-

vict camp officials, Sunday, of "feloniously torturing and maiming."

Those freed were Dr. C. S. McLaughlin, former prison physician, and R. C. Rape, a guard, charged with neglect of duty, and Henry C. Little, former camp superintendent, charged with assault with intent to kill.

The state charged that Shropshire and Barnes, short-time officials charged with mistreating

them.

The witnesses, Woodrow Wilson Shropshire, 21-year-old short term negro convict, sat in the witness chair with his footless stumps pointed directly at the jury. The state contends his feet had to be amputated after they became frozen as the result of confinement in the dark cell during sub-freezing weather.

Robert Barnes, the other young negro prisoner whose feet were also amputated, is expected to follow on Friday by Judge Warlick upon Shropshire to the stand tomorrow.

Shropshire said a small fire was started in the dark cell each morning but it soon burned out and from then on until the next morning he and Barnes would be without heat.

The defense contends the gangrenous condition of the negroes' feet was caused by their wrapping cloth tightly about their ankles under their shackles.

Charges against Gordon and Little, for 46 years a chain gang week. Shropshire and Barnes, the boss in this county; Dr. C. S. McLaughlin, and three guards, T. M. Gordon, J. W. Eudy and R. C. Rape, witnesses. All defendants were white.

Shropshire, 19, and Barnes, 20, were sentenced to serve short terms on the state highways, last winter, one for being drunk and disorderly, the other for larceny. Testimony in the case gave the cloth between their flesh and the leg irons following versions:

For an alleged insubordination at a county prison camp, they were "hung up" in solitary confinement in dark cells for nine days, from eight to ten hours a day. They were handcuffed to the bars of their cells with arms outstretched and feet shackled to the floor. Rations consisted of half a biscuit and water twice a day.

Chained to Icy Floor

For a part of the time they were thus confined, the thermometer dropped to twenty-one degrees below freezing. The small stove in their cells was lighted only once a day, according to testimony. The boys' feet soon swelled so that they could not wear their shoes, but had to stand shackled on the icy floor.

Chained to a ring in the floor, they slept on a thin mattress under scraps of blankets. Under the shackles riveted to their ankles, Shropshire and Barnes tied pieces

Flesh Drops Off Bones

They were released in twelve days and then spent eighteen days up for receiving stolen goods. Woodrow

of their feet grew steadily worse as the gangrene from which they were suffering was treated merely with salve as erysipelas.

Finally, with the flesh of their gangrenous feet rotting and dropping off the bones, Shropshire and Barnes were taken to a local hospital. But past aid, they were taken to the State Prison Hospital at Raleigh. There, in order to save their lives, the youths' feet were cut off.

Reforming the Chain Gangs

The Macon Telegraph

North Carolina has been in the throes of excitement recently over the conduct of its chain gangs. Two Negroes who lost their feet half way up to the knees caused the excitement. They claimed that they were forced

acquitted on Sunday, together with a day, and that they were deprived of warmth

T. M. Gordon and J. W. Eudy, camp guards, were originally indicted on several counts, including three felonious charges, assault with a deadly weapon, maiming and torture.

In Court with Stumps

near the knee both Negroes would have been dead. The stumps were in evidence in the courthouse a week ago during the trial at Charlotte. The trial was that of Captain H.

C. Little, three of his guards and Dr. C. S.

McLaughlin, camp physician, all charged with criminal cruelty.

The defense was that the Negroes stuffed

worn by them; also that the Negroes had plenty of heat and covers.

The defense also claimed that inasmuch as

the state had furnished them with new artificial legs, and had given them sinecure jobs

with the State Highway Commission they

should have appeared in court with their new underpinnings instead of coming on their crutches and standing on their "stumps."

The Negroes answered that they had not yet become accustomed to the use of their new implements of ambulation.

During the trial the judge, Wilson Warlick,

kept reminding the court and jury that "some-

body would pay".

The Negroes' offense on the chain gang

was said to be that they refused to work when so ordered. Their reply was that they

were sent to the dark house because they dared to warm their feet at a roadside fire.

Robert Barnes, one of the Negroes, was sent

up for receiving stolen goods. Woodrow

Wilson Shropshire, the other, was in the gang for driving a car while intoxicated.

Of course, if the gang officials are convicted, the case will go on up; but the main point of interest now is that the entire citizenship of North Carolina is aroused over the horrors of the reeking chain gang system. It has never been humane at best, and when it comes into the limelight at its worst, it is disgusting to the sensibilities of any civilized man or woman. It would never have been tolerated this long among a so-called enlightened people if it had not been for the fact that its victims have rarely had much influence or strong family connection. Even when convicts have been from the upper strata of society, they had usually lost their influence through bad reputation, until their blood kin had turned against them. And even then the convict of the higher order was given a trusty's position and often a horse to ride, or mules to drive.

When the lowly and defenseless are abused too severely and too far, and the public learns about it, a terrible reaction occurs. And that has happened in the North Carolina case.

Georgia is in no position to make faces at North Carolina, nor to assume a holier-than-thou attitude. She has had her share of abuse for the same class of cruelties, and she can't say that it was entirely undeserved. Perhaps the revolting public opinion has caused the probation system to get a trial in the state. That system has proved to be far cheaper, and a thousand times more sensible and humane. The average chain gang victim costs the community about three times as much while he is on the chain gang as he is able to earn at free labor, and yet he and his dependents are considered by the authorities undeserving of the consideration of the humblest human beings while he is "serving time".

Probably the tragedy of the drunken driver and the receiver of stolen goods will serve a good purpose in ameliorating conditions in North Carolina, and elsewhere; but it is a terrible price for them to pay for the good of the cause.

NORTH Carolina

Crime - 1935

~~Two Acquitted Of Torture Charges~~

~~North Carolina Convict Warden Defends His Actions~~

~~CHARLOTTE, N. C., July 16.—(P) — Two defendants in the Mecklenburg County prison "torture" trial were freed today and the other three were absolved of the charge of "maiming and torturing."~~

~~Judge Wilson Warlick directed verdicts of acquittal for T. M. Gordon and J. W. Eudy, former prison camp guards.~~

~~CHARLOTTE, N. C., July 16.—(P) — Capt. Henry C. Little, grizzled veteran~~

~~of 45 years service as a convict boss, lashed out against prison disciplinary~~

~~C. S. McLaughlin, who was prison physician and R. C. Rap, an ex-guard, testified vigorously today that he had neither mistreated nor neglected two negro prisoners who later suffered amputation of their feet.~~

~~The 69-year-old Little took the stand shortly after R. C. Rape, a former guard, had denied from the witness stand that a result of two young Mecklenburg negroes, Robert Barnes and Woodrow Wilson Shropshire.~~

~~Little, Rape and Dr. C. S. McLaughlin, former prison camp physician, are being tried on charges of assault and battery with a deadly weapon (handcuffs and iron bars) with intent to kill, and with neglect of duty. Two other former guards went to trial with them but were freed by directed verdicts yesterday.~~

~~Black little Robert Barnes and brown Woodrow Wilson Shropshire say they were sent to solitary confinement in a North Carolina chain-gang "dark house"~~

~~from Mecklenburg County, had their feet cut off last Winter after physicians had diagnosed an infection as gangrene. The two negroes declared their feet had frozen while they were shackled and handcuffed in an upright position to the cell bars of the small brick punishment house for alleged violations of prison rules.~~

~~They testified they had practically no heat, although the temperature went as low as 11 degrees.~~

~~Little denied that the prisoners had been shackled and handcuffed for excessive periods and asserted that fires were provided in the disciplinary cell. Rape gave identical testimony.~~

~~"Capt. Little, what is your opinion of this method of punishment prescribed by the State authorities?" he was asked.~~

~~"It's the most inhumane thing I ever heard of," he shot back.~~

~~He was not asked what method of discipline he would prefer. Rocks have been produced in a laboratory in an attempt to learn the processes which nature employs in building up the great land masses of earth.~~

~~The largest all-welded ocean-going ship built in Britain—the tanker Moira—was recently launched on the Tyne.~~

ROBERT BARNES & WOODROW WILSON
SHROPSHIRE

Exhibits A, B, C & D.

day for nine days, that a little wood stove was lit each morning but soon went out, that at night they slept without fire, with only scraps of blankets for covers. The chain-gang bosses say the Negroes had plenty of heat, plenty of covers. The Negroes say their feet froze because it was plenty cold. The chain-gang bosses say and it always was unusually cold, there the Negroes stopped circulation in their feet because there was no heat, except from a dilapidated rags and strings.

In March the two Negroes' feet were members swelled, and the men had to take puffy, greenish-purplish clumps of gangrene off and stand unshod on the floor. In order to keep the men from being stone dead if a Raleigh surgeon had shackles from pressing too hard on their not amputated their four limbs halfway swelling feet, the men placed strips of cloth to the knees. In the Charlotte court house under the metal. Soon the swelling was last week these stumps were Exhibits A, such that the cloth was forced deeply into B, C and D in the State's case of criminal the flesh.

cruelty against Captain H. C. Little of the After being subjected to this torture—convict camp, three of his guards and there is no other word for it—for nine days, Dr. C. S. McLaughlin, camp physician.

It was a lively trial. Defense counsel for three more days, without being "hung up." Subsequently in the prison camp, their had voted the boys each a set of false legs and feet grew steadily worse. The gangrene along with lifetime sinecures in the State was diagnosed as "erysipelas," and salve Highway Commission, the boys should have appeared in court on their new underpinnings instead of on short crutches (see cut). Shropshire explained that they had not learned to use the new legs yet. Barnes seldom said anything except: "I disremember." Prosecutor John Carpenter also livened things up by appearing every day in a gayer ensemble than the day before, while Judge Wilson ("Coot") Warlick maintained a running fire of admonition from the bench: "Keep your shirts on. . . . Somebody will pay."

That is the undisputed record of what happened. Yet the court quashed the indictment charging "feloniously torturing and maiming" and dismissed all charges against two of the five defendants. The other three were brought to trial on a charge of "neglect of duty," a misdemeanor, and assault with a deadly weapon with intent to kill. Since it was clear to everybody that no such assault had been committed, the only charge, for all practical purposes, was the misdemeanor, and the prison camp officials were not even convicted of that.

Since North Carolina public opinion is thoroughly aroused against the Negroes' keepers and the whole reeking chain-gang system, consensus was that Robert Barnes's and Woodrow Wilson Shropshire's lost legs would be the price of a new and more merciful penological system in the State.

RICHMOND, VA. TIMES DISPATCH

JUL 23 1935

A Disgrace to the South

AN ASTONISHING verdict of acquittal has just been reached by the North Carolina court which tried several former convict camp officials, who had in their custody two Negro prisoners whose feet had been so far neglected that their feet freeze or rot within eyesight and calling for adequate medical attention." Certainly it seems to us that such a verdict is nothing short of a travesty upon to be amputated. These officials were justice. About 10 days ago, a legislative cleared of all blame in the matter, the jury investigating committee in Georgia reported having apparently believed the argument that conditions in one of the convict camps of the defense that it was the fault of the

In that state are even more dreadful than
ROBERT E. BURNS said they were in his description of Georgia chain gangs. Now comes a North Carolina court with a refusal to punish any one for the loss of the feet of two prisoners in one of that State's prisons, although the men were subjected to terrible torture over a period of nine days. Such things as these are a disgrace to the South.



Convict-Camp Tragedy Stirs Press

Loss of Limbs by Negro Prisoners, and Failure of Charges Against Officials, Arouse Indignation of Several Southern Newspapers

Two Negroes who were short-term prisoners in a road-camp in Mecklenburg County, North Carolina, have one thing to be thankful for. They can never be shackled by the feet again. But Colonel Tarheel and some of his friends in adjoin-

their lives the legs of both men were amputated in the prison hospital in Raleigh.

Travesty Upon Justice"

"That," said the Richmond *Times-Daily Dispatch*, which has often paid tribute to the men who were "first at Gettysburg and last at Appomattox," "is the undisputed record of what happened. Yet the court quashed the indictment charging 'feloniously torturing and maiming' and dismissed all charges against two of the five defendants [all officials of the camp]. The other three were brought to trial on a charge of 'neglect of duty,' a misdemeanor, and assault with a deadly weapon with intent to kill. Since it was clear to every one that no such assault had been committed, the only charge, for all practical purposes, was the misdemeanor, and the prison-camp officials were not even convicted of that.

Naturally there has been an outburst of indignation in North Carolina over this dénouement. . . . Certainly it seems to us that such a verdict is nothing short of a travesty upon justice."

The three men who were brought to trial before Judge Wilson Warlick in the Mecklenburg Superior Court were Dr. C. S. McLaughlin, prison physician, Capt. Henry C. Little, camp superintendent, and R. C.

ing States are much wrought up because the story is another tragedy of a convict-camp. For alleged insubordination Woodrow Wilson Shropshire and Robert Barnes, guard were charged with neglect of duty, according to testimony offered in their behalf, were "hung up" in solitary confinement in dark cells for nine days from eight to ten hours daily, handcuffed to the bars of the cells with their feet shackled to the floor. It was during the month of January, when it was unusually cold, the thermometer being eleven degrees above zero. The little heat there was came from a dilapidated stove.

The shackles caused the men's legs and feet to swell, and they had to take their shoes off and stand unshod on the cold concrete floor. To save themselves as much pain as possible, the men placed strips of cloth under the shackles. But their feet continued to swell, until the cloth was forced into the flesh. After being subjected to this treatment—some newspapers went so far as to call it "torture"—for nine days, the men were put into solitary confinement for three more days. This time they were not "hung up." Their feet continued to become worse after their release from "solitary."

The gangrenous condition which developed was diagnosed as "erysipelas." Finally, "may satisfy the jury and the officials of the State prison system who directly and in-

directly were involved.

"It fails miserably to satisfy the most elemental promptings of a decency which outrages when two human beings utterly within the power of the State are so far neglected that their feet freeze or rot within eyesight and calling-distance of adequate medical attention.

The Mecklenburg court peremptorily swept aside all suggestions that the two Negroes had been tortured.

"If this isn't torture, then we need a new word for whatever it is.

"We need also a civilized determination that it shall not happen again."

After an investigation by the Legislature, persons accused of crime have been cleared simply because the charges against them responsibility for the future of the three were poorly presented. The acquittal of Negroes by providing them with artificial legs and placing them in permanent jobs.

THE ACQUITTAL OF THE PRISON CAMP OFFICIALS

The verdict of acquittal in the cases against the Mecklenburg prison camp officials was not altogether unexpected by the colored people. The familiar adage, "Blood is thicker than water," is usually true. Despite the silent but powerful appeal of the footless legs of the neglected prisoners, it was too

much to expect that the accused officials would be convicted of cruelty or criminal negligence by a jury of their friends and neighbors. While many fair-minded people will question the fairness of the verdict, nothing will be done about it. As has been suggested, the brutalities disclosed at the trials will no doubt lead to a reform in the State prison system. If such reformation should result,

the sacrifice of two pairs of feet will not have been in vain. It will not bring back the lost feet, but it may save the feet of others.

The news-story in the *Charlotte Observer* recited that "the case has received wide publicity of a nature unfavorable to North Carolina and various State officials expressed relief that the matter is settled at last."

Decency Outraged"

The *Raleigh News and Observer* was bitter and ashamed. The result, it said, was diagnosed as "erysipelas." Finally, "may satisfy the jury and the officials of the State prison system who directly and in-

ERIE, PA.
DISPATCH HERALD

JUL 24 1935

THEIR OWN

We have found over a long period of experience with juries in the trial of criminal cases that they rarely, if ever, erred fundamentally in their verdict. Occasionally the penalty did not fit the crime, being either too light or too severe. But we do not recall a single instance in numerous cases wherein there was wholly a miscarriage of justice.

There have been cases, however, where after an investigation by the Legislature, persons accused of crime have been cleared simply because the charges against them responsibility for the future of the three were poorly presented. The acquittal of Negroes by providing them with artificial guards and other officials at a North Carolina convict road camp for inhuman treatment of two Negro prisoners may have been an instance of improper or weak presentation of the case.

The Negroes were strung up against a wall in chains for some infraction of the prison rules. They were placed up in a fireless room in the bitter cold of last January, arms and legs shackled. In this position they were kept for several days. When finally released they were in such bad physical condition that they were rushed to a hospital where it was found their legs were in a gangrenous condition, necessitating the amputation of both feet.

Justice loving and humane North Carolinians fairly went up in the air over what they considered unspeakably brutal treatment, and with one accord the people demanded those responsible for the safe keeping of the convicts be prosecuted. But one by one all charged with responsibility were exonerated until it narrowed down to three. They faced a jury last week on grave charges, but the prosecution failed to convict them of neglect of duty and cruelty with intent to kill.

It was proved to the satisfaction of the jury that it was not the frostbite that caused the inflammation resulting in gangrene necessitating amputation of the feet, but the result of the Negroes wrapping their ankles with bits of blanket and cord so tightly that circulation of blood was retarded. Thus the jury was convinced that the men were victims of their own folly and not that of their keepers.

The case is without parallel. The fact was lost sight of that the men bound up their aching ankles to protect them from the irons that cut cruelly into the flesh. Anger of the populace had burned itself out; and then these maimed human beings were only blackmen while the accused were Caucasians in whose veins flowed the proud blood

of Anglo-Saxon ancestors. Race does make a difference, as all have occasion to know, when it faces the law.

Crime-1935

North Carolina.

2 OFFICERS FIRED IN 3RD DEGREE CASE

Muscle and Muscle
Beat Asheville Youth With Hose, Is Charge
1 - 26-35
IGNORED WARNING
Muscle and Muscle
Brutality Scored By Judge; Officers May Appeal

ASHEVILLE, N. C.—Chief of Police W. J. Everett followed up a recent admonition to his department here to desist from using third degree methods on prisoners leased. This led to the issuance of specific instructions by the chief who is 35, of Bruefield, W. Va., said he talked particularly to the two discharged men.

Chief Everett in a statement made shortly after the discharge of the two officers said "The whipping, though severe, proved 'third degree' on, city prisoners is absolutely against the policy of the Asheville police department. There will be no more of it in the department as long as I am head of it."

The dismissed men, Charlie Clayton and Gilbert Cook, are reported to be the "muscle men" of the force. Chief Everett said that on the occasion of his first warning to the department about the maltreatment of prisoners, he spoke particularly to Clayton and Crook since they were so well known for their employment of the third degree method.

Officers Ban Appeal

Since the members of the police department here are under civil service regulations, the two discharged men have the right to appeal to the civil service board from the action of their superior.

The alleged whipping of Davis

known also as William Harrison Cathey said, "are relics of the barbarian ages and should be foreign to American standards. It might be passable in Russia or Mexico,"

Detectives Clayton and Crook they are said to have beat him in an effort to force him to talk.

Davis stood up under the severe whipping and through some means got word to friends outside of the incident. They immediately employed a lawyer who brought the police chief Friday. An investigation was immediately launched.

Davis Is Freed

As soon as Chief Everett convinced that the facts as presented him were substantially true, he freed Davis and informed Clayton and Crook that they were no longer members of the department.

The case which led the chief to issue a warning to the department concerning whipping prisoners was said to have involved the same two officers. Two white youths, Chief Everett explained, were severely whipped with a rubber hose by the two officers in an effort to get them to confess having robbed a small cafe in connection with which they had been taken into custody. The whipping, though severe, proved futile and the suspects were released by discharging two detectives who

This led to the issuance of specific instructions by the chief who is 35, of Bruefield, W. Va., said he talked particularly to the two discharged men.

Judge Comments

He made these remarks in a talk immediately after opening of police court. Judge Cathey defined the duties of a police officer and later mentioned newspaper reports of alleged "third degree" methods here.

"When a man accepts a position as a law officer," Judge Cathey began, "he undertakes the safety and proper guardianship of other people."

"No man should be arrested unless a legal warrant has been issued against him," Judge Cathey said, "and until he is duly tried was 'fair.' According to his mother and adjudicated guilty, his rights should be respected."

"Relics of Barbarians"

Applying the "lash" or inflicting other forms of punishment, even the discharged officers was made after a man is convicted. Judge

followed his arrest here Wednesday, Jan. 16 for investigation. When he stolidly refused to respond to questions put to him by he added.

Detectives Clayton and Crook they "That what is known as the third degree," he stated, "is a per-

nicious practice which has been abandoned. It will never be tolerated by any court in North Carolina. There might be some cause for it today in America, but in Asheville it has no place and can-

not exist.

The police," he continued, "have a two-fold purpose, to protect the people who are sinned against, and

to protect those that sin."

"Must Stop"

Judge Cathey said "the present case in under investigation" and he freed Davis and informed Clayton and Crook that they were no longer members of the department came out in court he would investigate it fully, even if it meant calling in an "impartial board of experts."

The practice itself, he said, must stop. "I think," the police judge declared, "Asheville has a good police force, as good as any in the country." However, he

said, an act of one policeman re-

flects honor on the entire depart-

ment, and if not honor, it also re-

flects on the department."

Judge Cathey later commented that "no one should ever be placed in the city jail without a duly sworn out warrant, based on reasonable facts. There is no right to fingerprint anyone until after they have been tried."

Again referring to alleged "third degree methods," Judge Cathey said "if it ever comes out in court, I'll assure you it will be investigated to rock bottom."

Detectives To

Issue Statement

ASHEVILLE, N. C.—What is considered a prelude to their intention to appeal from the action of Police Chief W. J. Everett in discharging them from the force after they had allegedly ignored instructions and beaten Cecil Davis while in custody was seen in the promise of Gilbert Crook and Charlie Clayton, city detectives to issue a public statement giving their side of the incident.

Meanwhile officials of the Mission Hospital where Davis was taken following his release Saturday announced that his condition was "fair." According to his mother he was beaten with a railway air hose. He is the son of the Rev. J. H. Davis of 84 Hill Street.

Saturday by the police chief who said at the time that he had warned them previously to desist from employing third degree tactics on prisoners.

Speaking for her son, Mrs. Davis said that she was told that four persons were present at the time of the beating. One of the four described by Davis as "not an officer" was sent to get the hose with which the beating was administered.

Crook said the statement to be issued jointly by himself and Clayton would "clarify the situation to a great extent."

GREENSBORO, N. C.

RECORD

FEB 14 1935

The Easiest Way.

The executioner found plenty of work to do in the North Carolina penitentiary last year.

Twenty men—eight whites, 12 blacks—were put to death in the electric chair. That was eight more than have been executed in any other year of the 24 since the death chair supplanted the gallows in 1910. In November, 1934, for the first time in the history of capital punishment in this state, there was a triple electrocution—the victims were negroes. There was another triple killing in December, when three white men were executed.

In the matter of executions in North Carolina last year was a record-breaker. But this year may break the record of last year. There

are now 22 men on death row in the Raleigh prison. Some of the doomed have but lately arrived. Others have been there for months—waiting, waiting, waiting—waiting for death.

Nell Battle Lewis, in a recent article in the Raleigh News and Observer, in which she condemns capital punishment as barbarous, un-

Christian and "basically wrong," because "it is founded on the idea of retribution, of revenge and carries this idea to the most extreme degree possible . . . " concludes with this striking paragraph: "As a matter of fact, our infliction of capital punishment boils down to this: We

kill these criminals because it is the simplest thing to do; because

the revamping of our theory and practice of punishment requires high intelligence and considerable cerebration. So—why bother about it!"

Police here of the old school say that a Negro policeman will be helpless in Hayti. He would be scared out of his job in short order, is the belief.

The so-called criminal class in Hayti has voiced itself already. A Negro policeman just wouldn't be accepted there, several of the worst criminals in that section asserting they will "mix up" with the first Negro who tries to arrest them.

The placing of patrolmen on foot in Hayti is expected to remedy the situation somewhat. That section of town is expansive, it was pointed out, and it would take 25 officers on constant duty in that section to erase the crime wave that has hit there. An increase in the police department personnel would be a necessity in that event.

Shootings among Negroes occur so quickly that the presence of a policeman probably would not prevent

Council Turns Down Request For Negro Policemen In City

But Instructs City Manager R. W. Flack To Provide Ample Protection In Hayti District—Two Patrolmen Assigned To Beats In Effort To Check Crime

Responding to agitation among Negroes for better police protection in the Hayti district, the city council last night authorized City Manager R. W. Flack to provide immediately ample police protection in the crime rampant area.

The much-discussed action came after a delegation of Negroes, headed by F. K. Watkins and Philip Escoffery, appeared before the council urging the need of additional protection in that section.

Watkins asked for two Negro policemen, one Negro detective and as many other policemen as necessary, pointing out that Negro officers will be able to handle the situation better than white officers. He also pleaded for the enforcement of traffic regulations, and the installation of traffic lights to curb the reckless driving in that vicinity.

Escoffery, in his message to the councilmen, stated that "life in the Hayti district is as cheap as a 10-cent pound of beans." He also charged that the policemen assigned by Chief of Police George Proctor to that district literally "loaf" while on the job.

The council went into a private session to discuss the proposal and gave it considerable consideration. The council public safety committee, headed by W. C. Lyon, is believed to be in favor of securing Negro policemen for a tryout period, and it is expected to report a recommendation to this effect at the next council session.

Even before the council meeting had concluded, the city manager had conferred over the telephone with Chief Proctor, ordering the night platoon to "cover" the Hayti district immediately in an effort to uncover the so-called "death holes and dens" in that section of the city.

According to the city manager, sporadic raids will be conducted. Nearly all of the officers on each platoon will be used in the raids, and the streets of Hayti will be thoroughly canvassed.

At the same time, it was announced that two men have been detailed for special duty in the Hayti area. One will patrol the section during the shift commencing at 2:45 p.m. and ending at 11 p.m., and the other between the hours of 11 p.m. and 7 a.m. The officers will be on foot. Regular radio cruisers assigned to the district will continue operation as usual.

It has been some time since a policeman has been given a regular beat in the Negro section.

No officer as yet has been assigned to the district during the morning hours, but a patrolman was kept in the area all day Sunday. It is not likely that a man will work the morning beat during the week, however.

Recent gun fatalities among Ne-

should be changed to avoid the nothing really worth while about capi-
tality of governors having to getal punishment they would agree through the process of commuting that, in justice, the changes men-

the death sentence. It should be made.

changed in justice to the criminal

Nobody holds it just to impose a life

sentence for theft, even if it involves

entering sleeping quarters. But be-

cause the theory of the law, no

longer held in respect, is that one

entering sleeping quarters in the

night might kill he is guilty of the

felony.

Not only should burglary be redatory for all justices of peace, in counties with a population

onies but arson should go along with

it. Nobody will be put to death in

North Carolina for setting fire to

dwelling, infamous as that crime is

every such judicial post in the state, both in small and large

But because the law stands juries

and courts have to resort to evasion

to get around it or the governor

must commute the death sentence

Since legal suits involving amounts from \$1 to \$199.99 are

heard and tried in justice of peace courts, where many legal

the burglar kills while attempting

to rob, the trial is for murder. Re-unversed in the law, the present system works an untold and

removal of burglary and arson from

the list involves no risk of a real

capital crime going unpunished. If

these crimes ever properly belonged

court-at-law is guaranteed to every litigant, but quite often

in the death list they are not so

recognized now and they should be

counsel amount to more than the sum of money involved in the

marked off.

One wonders why Mr. Ervin and original suit; thus many persons are unable to appeal and pro-

secute those who feel as he does do not cut their cases further because of the added expense incurred.

give attention to these injustices.

Surely the laws could be changed.

Quite often the small sum of money involved in such suits

Even the rankest killer would agree

means as much, or more, to some of the litigants as larger sums

that it is better to change the law

than to nullify it to meet that just

public sentiment which will not as-

sent to killing simply for setting

fires, or for theft. Far better, more

Jefferson and others, the state statutes ought to provide that all

just, is the direct way, which would

permit the court to impose a sen-

tence of imprisonment in accord-

to the kangaroo practices so often invoked and pursued in the

ance with the crime. While the farcical adjudication of civil matters in some of the justice of

capital felonies are being reduced

to two another chore should be

given attention as a matter of com-

mon justice. The employer of a

killer, the procurer of murder,

should be guilty of the capital felony

to the employer, the procurer

of conspiracy, which auto-

matic sentences to imprisonment

We no longer electro-

In more than one case in North

Carolina recently hired killers have

and gone to death and justly, since their

conscientious jurors, such as Mr.

crimes are the most aggravated. But

Ervin encountered, occasionally find

public sentiment has revolted, and

it necessary to convict of first de-

justly, against the discrimination

gree burglary, which automatically

sends the hireling to death

carries the death penalty. But the

while the employer, the procurer

governor—in later years at least—and instigator, is spared. Surely the

opponents of capital punishment

always commutes.

The law should be changed, of

course. The death penalty for bur-

glary has passed by common con-

and none is more deserving than

sent. But the law should be changed

the instigator and procurer of mur-

to relieve the embarrassment

jurors who feel compelled to convict

Seems to some of us that if the

legislative boys care to do some-

LAWYERS FOR JUSTICES OF PEACE

The Houston Defender, after having observed over the years the nature of the numerous civil suits filed in the justice of peace courts in Harris County, has become converted to the idea that such judges ought to be licensed lawyers. *Defender*

The Texas legislature ought to enact a law making it mandatory for all justices of peace, in counties with a population

over 150,000 or 200,000 persons, to be regular attorneys. *1-26-35*

Not only should burglary be redatory for all justices of peace, in counties with a population

over 150,000 or 200,000 persons, to be regular attorneys. *1-26-35*

Under the present civil statutes nowhere in Texas does a justice of peace have to be a licensed lawyer, and practically

dwelling, infamous as that crime is every such judicial post in the state, both in small and large

But because the law stands juries and counties, is occupied by some layman possessed of more politi-

cal pull than legal knowledge. *1-26-35*

Since legal suits involving amounts from \$1 to \$199.99 are heard and tried in justice of peace courts, where many legal

questions are raised by litigants and with a presiding judge

to rob, the trial is for murder. Re-unversed in the law, the present system works an untold and unnecessary hardship upon many persons involved in such suits.

The right to appeal on such suits in excess of \$10 to the county court-at-law is guaranteed to every litigant, but quite often

in the death list they are not so the expense of appealing, making bond and retaining legal counsel amount to more than the sum of money involved in the

marked off.

One wonders why Mr. Ervin and original suit; thus many persons are unable to appeal and pro-

secute those who feel as he does do not cut their cases further because of the added expense incurred.

give attention to these injustices. Surely the laws could be changed.

Quite often the small sum of money involved in such suits

Even the rankest killer would agree means as much, or more, to some of the litigants as larger sums

that it is better to change the law arising in original suits in the county courts-at-law and dis-

trict courts.

In such populous counties as Harris, Dallas, Bexar, Tarrant, Jefferson and others, the state statutes ought to provide that all justices of peace be licensed lawyers, and thereby put an end to the kangaroo practices so often invoked and pursued in the

capital felonies are being reduced to two another chore should be

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NORTH Carolina

Crime - 1935

Expert Testimony

Journals *Guide*
THE defense of the Mecklenburg

county [N. C.] prison camp

superintendent physician

and Not only the prison camp doctor,

guards under whose care two pris-

oners lost their feet by freezing

while undergoing disciplinary

measures missed a good witness

in Dr. FRANKLIN H. CHURCH, Newall.

The camp doctor called it ery-

Jersey State Department Clinician,

sipelas and the final diagnosis of

although the doctor was not needed,

the Raleigh medical men was to the

except in justification, and this effect

gangrene set in as a result of

was not pleaded by the Mecklen-frozen feet.

Having had under his

care three cases of frost-bitten toes,

Writing to Time weekly maga-

zine, the New Jersey Clinician the New Jersey clinician reached as bad as ever.

takes exception to a factual pre-

sentation of the case by that publi-

cation, and in the course of doing and

so gives an amazing professional

opinion that misses any appropri-

ate relation to the North Carolina

misses the whole incident with the

between New Jersey and the Tar

Heel State. His pontifical pro-

nouncement follows:

If he represents medical charac-

ter and viewpoint in New Jersey

we are of the opinion that the

record the story of two Negroes poor devils in the North Carolina

with frosted feet. There is the

'usual lack of insight in this story

MORE POLICE PROTECTION

and the usual appeal to sentiment

for the poor abused criminal. Both

courts and publicists seem to have

entirely overlooked the true phil-

osophy and the correct attitude

towards this class of criminal. To

begin with, causation: I have had

under my care in the past year

three of these Negro types. All com-

had frosted toes. This condition

depending not on exposure so much

as on the syphilitic disease of the

blood vessels which brings about

the gangrenous disease. One of garding the situation that they

them was paretic enough to at-

tempt suicide by throwing himself

out of a window and at 45 is a bed-

ridden pauper at the expense of

the tax payer, an incurable brain

syphilitic. The second had also

of the governing board of our city

frosted toes. He died of his gan-

grene and associated syphilis and

never was near a chain gang. The

third had frosted toes and is still

running around the world with

them.

It is my thought, that the people

who have neither acquired syphilis

nor inherited brains which are de-

cayed by this disease are the im-

portant individuals to be protected

from the damage of this "rust on

the wheat."

I do not believe that such mawk-

ish sentimentality and lack of

knowledge as expressed in this edi-

torial comment is of any value to

the nation. These Negroes are of a

type that are better off "never a number of times from Negro the happy medium with respect to born." They stand as "nuisance and white citizens and merchants handling prisoners criminals or feeble-minded paupers of that section of the body-politic..."

Not only the prison camp doctor, thing has got to be done to stop guards under whose care two pris- but the better prepared Raleigh such disorderly and disturbing oners lost their feet by freezing surgeons who amputated the pris-crowds of which the pris- are while undergoing disciplinary frozen feet seem to have sick. It is impossible to even park measures missed a good witness missed the right diagnosis, after your car or truck in that section in the public mind. So are other in Dr. FRANKLIN H. CHURCH, Newall. The camp doctor called it ery- without something being stolen or cases of prison brutality, and rather Jersey State Department Clinician, and the final diagnosis of yourself swarmed with a bunch of numerous cases in which prisoners this week three Negroes, in three although the doctor was not needed, the Raleigh medical men was to the Negros to see what you have in have been shot to death in the act except in justification, and this effect gangrene set in as a result of your car on on your truck. of escaping.

Our police department is doing all in its power, but what good is

cases, of quite different complexion.

Yesterday Clarence Peterson and

Dwight Beard, both serving long

terms for murder and both regarded

dangerous to be on those streets outside the walls of the state prison

and I can produce sworn evidence in Raleigh. They were not "grade

A" prisoners. They boarded an au-

Negress, went free after a jury

tomobile and struck out "in the di-

declared her not guilty. By the

should be stopped for the protec-

tion of Durham." No shot was

fire, no hand was raised, to detain

were convicted of (as if you hadn't

already guessed) second degree

murder. As a result they will serve

There are no allegations of collu-

prison terms of moderate length

in the double escape. A 66-year-old guard, with 20 years' hon-

they slew but members of their

orable service to his credit, who

was supposed to be on the lookout

at the gate through which escapees

was made has been discharged.

ample for presentation of the evi-

Oscar Pitts, acting director of the

prison, who ordered dismissal of the

guard, Charlie Massey, said: "I am

Negroes had been charged with

convicted there was nothing crooked slaying whites, or, again, that the

in the escape, as far as Guard alleged killers and victims both

Massey is concerned. It was simply had been white? (We shall not

gross carelessness on his part.) Per-

haps there should be some consola-

tion in the director's assurance that

ants was a white and his victim

the escapees didn't buy their way a Negro.) Everyone knows the an-

out; that they escaped because of awers; they're in the back of the

guard's "gross carelessness," ratherbook.

than because of crookedness and Mecklenburg superior court ac-

perfidy. However, the fact re-tually consumed more than a day

mains that these two dangerous during the same week deciding the

murderers did escape with apparent fate of a slot machine! At the

same time two other Negroes were,

are now, in fact, languishing in jail awaiting trial on charges of

having murdered two members of their own race. Their lives too

are, technically, at stake.

CHARLOTTE, N. C. NEWS

AUG 31 1935

Routine Murder Trials.

Within less than thirty hours

separate cases, were tried in Meck-

lenburg superior court while their

lives hung in the balance. Rhe-

torically speaking, that is. While

all three faced charges of mur-

der in the first degree, their lives

weren't actually hanging in the

balance. The persons they were

charged with having slain were, it

developed, also Negroes. And that

makes a vast difference.

One of the three defendants, a

citizen, was a Negro, went free after a jury

route the two Negro men

were convicted of (as if you hadn't

already guessed) second degree

murder. As a result they will serve

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GREENSBORO, N. C.

RECORD

AUG 29 1935

Murderers At Large!

North Carolina's prison manage-
ment obviously finds it extremely
difficult, if not impossible, to strike
by a drunken fight in which knives
and razors were used, both of
which endangered their lives. And
the same report has come to me

Gastonia, N. C. Gazette
August 30, 1935

Reports are trickling in that Gastonia policemen, some of them, at least, have been rather brutal in their treatment of arrested negro boy thieves; far more so than their offense justified, our information goes, which came from observers of the incident. The relation between the races in Gastonia is too close to allow it to be ruined by thoughtlessness on the part of some of our officers. Armed authority is not free license to mistreat and basely manhandle an unarmed, harmless 17-year-old negro stripling.

CHARLOTTE, N. C. OBSERVER

AUG 30 1935

Negro Lawlessness.

To The Observer:

The facts in regards to crime and poor police protection was presented to Chief Pittman, the former City Council and Civil Service Commission by petitions signed by hundreds of citizens and property owners several times during the years 1933-34 and to the general public through The Observer.

The city officials have been presented with right hand knowledge of crime and inadequate police protection of this section long ago.

It is the sentiment of this section that Chief Pittman and the City officials has had ample time of both races. The public is won over to bring law and order to this section with the citizens and made some explanation in this matter aside from being home in discrimination against sharing bed asleep. Charlotte is no more a small town or village. It is a large city and has a large criminal element. What is best for the police department, perhaps the most important agency of the city government, must be best for all. And it is manifest that under the direction of Chief Pittman and other advantages of our city government.

Proper police protection has not been afforded the tax payers of this section for a number of years. dealing with problems of their effectiveness.

Organized crime and the criminal element has a ten to one lead over white citizens of our city have not provided for this section. Mr. Pittman and the people, yet Mr. Pittman and the element considered that similar principles are necessary in solving the crime.

One or two officers patrolling this problem of the criminal element section in radio cars is not sufficient for law and order in a negro police officers have proven business district and a congested to be a very valuable asset to other section with a population of more towns in solving problems similar than twelve or fifteen thousand to Charlotte and educating their negroes. This system of police protection prevents few crimes in this citizenship, law and order.

Many of our better class of white negro youth is consumed destruc- thizing with negroes in their tively as this community affords dition but permit conditions to re- no outlet and has no recreational centers worth while to curve the lives of negroes constructively. On the other hand many negroes resort to crime as a part of their livelihood as their employers pay them less than living wages for their labor considering the high cost of living.

your problem. What are you going to do about it?

WOODS MORGAN.

Charlotte.

This, and Farewell.

Chief Ed Pittman has no intention of resigning his office at the demand of the civil service commission, and we don't blame him. Admittedly not involved in any way with the mass raid that certain members of the police department put on, either spontaneously or by direction, he rejects the suggestion that he be the first and perhaps sole sacrificial offering. Again we don't blame him.

The civil service commission will have no bearing on relieving present conditions of this section. Only the presence of a police at all times will improve demands, even by two of its members. Its chairman was closer to the scene of the disturbance than the police chief.

There has been a plenty of negligence. Perhaps many of the better class of white citizens and the less is confident in the belief that city government is and should be indicated yesterday the principle upon which the dispute, which now begins to involve personalities, The News nevertheless.

city government is and should be indicated yesterday the principle upon which the dispute, which now begins to involve personalities, The News nevertheless.

It is manifest that under the direction of Chief Pittman and other advantages of our city government.

Having said that, The News is going to keep its further opinions to itself.

DOES REASON STOP AT COLOR LINE?

(From The Winston-Salem Journal.)

The Charlotte Civil Service Commission is investigating the complaint of prominent colored folk of that city that police officers there recently made an unjustified mass attack upon negroes in several sections of the town.

This probe, which doubtless will be fairly conducted, should, reveal the truth or

negroes is true, Charlotte apparently has some police officers it would well afford to dispense with.

Citizens of Charlotte, the City He is an officer unworthy of his uniform and badge who refuses to allow this reason to function when he reaches the

color line. It is just as essential that the human and property rights of the negro be protected and held sacred as it is for those of the white man to be respected, and any deviation from this course of justice is designed to cause misunderstanding and trouble.

8-10-35
The illiterate negro sometimes fails to understand the objectives of officers who are engaged in making raids, imagining that members of his race are being subjugated to undue indignities when such is not the case. But when a number of the leaders of the race file formal protest against incidents like that which is alleged to have occurred in Charlotte, the booming of much smoke demands a search for a fire.

WILMINGTON, N. C. STAR

SEP 5 1935 WHAT TO DO WITH HIM?

GEORGE FRANCE, convicted negro assailant, probably does not know it, but he is giving the state of North Carolina a legal headache.

GEORGE is supposed to die Friday week, for attacking an elderly white woman, but the state of North Carolina has no idea what it is going to do about it.

In the first place the method of capital punishment in the state is by lethal gas, and Tarheelia finds itself without a gas chamber. Furthermore, there is a great difference of judicial opinion as to whether the gas chamber became legal for crimes committed after July 1, or for convictions after July 1. FRANCE, incidentally, committed his crime prior to that date but was convicted afterward.

The question then is, can a man be gassed to death for a crime for which the penalty was electrocution, or can he be electrocuted after that form of punishment has been outlawed? Since he noted no appeal from his death sentence, the supreme court has nothing to say.

South Carolina had a similar case in 1910 when the gallows was replaced by the electric chair, the case coming up on appeal. In that instance, as we recall it, the defendants were electrocuted although hanging was the mode of punishment at the time their crime (murder) was committed.

North Carolina:

Crime - 1935

4 Prison Camp Officials Held For Mistreating Convicts

are the prescribed punishment cells in North Carolina prison camps.

CHARLOTTE, N. C., April 10.—Shropshire said he told Little of his (P)—Four former prison camp officials and a physician were held on that it was three days before Dr. the felony charge of mutilation at the McLaughlin saw him and that then conclusion to the judiciary inquiry the camp physician told Little there into the circumstances of two negroes was nothing wrong. convicts losing their feet.

Superior Court Judge Donald Phil-Barnes, who was too ill to come here lips, sitting as a committing magistrate for the hearing, was beaten by Rape trate, held there was probable cause while chained to the bars of the cell. for action against Henry Little. Against the negro's charge the de-prison camp superintendent; J. W. Eudy, R. C. Rape and T. M. Gordon, witnesses that the negroes were guards, and Dr. C. S. McLaughlin, chained in a standing position only county physician.

He ordered them held under \$1,000 bonds for the superior court term beginning May 11. Little and the three guards were also held for them every other day and said his court on charges of assault upon Ed Biggers and Oscar Cunningham, negro convicts who testified they were beaten after their removal from the punishment cells, was erysipelas. He added at Little's camp in the dead of night. he was still of the opinion this was the cause.

Regulations of the State Highway Department, which has control of all prison division headquarters for the grene could follow erysipelas.

Another Theory.

whipping of convicts and the presence of a physician during administration of the flogging. Bonds of \$200 each were fixed on the latter charge.

T. S. Brown, prison camp superintendent who was named in the warrants for the hearing, was discharged at its conclusion. Solicitor John G. Carpenter asked dismissal of the charge, saying there was no evidence to connect him with any criminal of the effect that this was possible.

Brown was brought into the inquiry because it was from his camp that the negroes had been sent to Little's camp and Woodrow Shropshire, 19, both for punishment. He, Little and the short-term prisoners, had developed gangrenous feet at Little's camp. They were taken to the central prison hospital at Raleigh and their feet amputated.

Evidence was adduced at the hearing that Elle Bogan, a negro prisoner from Lexington, died in a "dark cell" at Little's camp last August. His death was given by Dr. McLaughlin as due to a heart ailment.

Investigations also were launched from Lexington, and at Little's camp last August. His death was given by Dr. McLaughlin as due to a heart ailment.

Shropshire was brought here as the first witness for the inquiry which began Monday morning.

Gently rolling himself back and forth in a steel chair for six inches he is sent to the punishment cells. Dr. McLaughlin testified he told a story he made an examination of Barnes in un-gan, but did not detect the heart ailment. "dark cells" at Little's camp and found them in during bitter January weather. For 12 days, he said, they were chained in a normal health before their terms in standing position during the day and the confinement cells.

No charges were brought in connection with Bogan's death.

Feet Froze.

The negro charged their feet froze and said his became so swollen he could not wear his shoes and was forced to stand barefooted on the cold concrete.

The dark cells, small units in a brick building about nine feet square,

today as tales of convicts being pulled from their cells at night to be beaten by guards feature a judicial investigation of prison camp conditions.

After tortive negro witness told of being beaten and kicked while serving road sentences, Judge Donald Phillips, at the request of Solicitor John G. Carpenter, ordered the names of Dr. C. S. McLaughlin, prison camp physician, and T. M. Gordon, camp superintendent, in today of a judicial inquiry into the circumstances of two negro convicts losing shot his landlord immediately after against four other former officials

4-11-35

CHARTOTTE, N. C., April 10.—(P)—as the slayer of Theo Tant, a farm

Officials And Doctor Accused Of Mutilating Negro

Prisoners Accused

Watson, as the Daily News recalls

Such tactics may be necessary at time to deal with unruly prisoners, but the authority to do so did not in this case lie with the men now facing charges. Too often the chance to lord it over a more humble being turns the minds of men who have little minds to turn, resulting in unwarranted brutalities.

Anderson, S. C. Record

April 22, 1935

IN THE NEWS OF THE DAY.

North Carolina authorities have lost no time in investigating stories of torture in a Mecklenburg county prison camp, where two negro prisoners, whose feet became infected as a result of neglect while they were held in solitary confinement, had to have their feet amputated.

Acting swiftly, authorites brought charges against five former prison camp officials and now the grand jury has acted and has indicted the five officials on charges of torture. The speed with which this investigation has been handled and the consequent speed of the grand jury in bringing out indictments against the men speaks well for North Carolina authorities.

CHARLOTTE, N. C.

NEWS

MAR 31 1935

Note on a Shooting.

An inconspicuous little item of news which many people doubtless read without attention or overlooked entirely was that telling of the collision between automobiles driven by one Grady Sullivan, Negro, and J. B. Earle of the city police department. The Negro's car was said to have sideswiped the officer's car, then to have careened into a vacant lot. Two men jumped from it and ran. The police officer reached for his pistol and fired. He wounded one of them, Grady, in the arm.

The wound was only superficial, which was a lucky break for the Negro and perhaps lucky for the officer. At any rate, the incident is called to the attention of the solicitor of the county recorder's court, which is understood to be the proper agency for hearing cases

involving the city police, with the request that he determine if there is not grounds here for a warrant charging the police officer with assault with a deadly weapon.

MUTUAL RESPONSIBILITY.

The case of Booker T. Watson, to which reference was made in these columns Monday, offers no less a study in the state's, representing organized society, responsibility for the young slayer than the boy's responsibility, as he waits on death row, to the state.

In this connection, it is difficult to keep one's thoughts from turning to the Dwight Beard case where conditions, it is true, are different but where the contrast in environment, which must have something to do with the fixation of ultimate responsibility, could hardly be sharper.

Beard, young white man who has been given a commutation of sentence, apparently had every opportunity.

He had a chance at a college education; he was Y. M. C. A. and camp counsellor; he was a promising athlete. Yet, with these influences around him and these opportunities, he entered upon a deliberate career of crime. He was expelled from college for stealing; one crime led to another, each with increasing seriousness, until his conviction of first degree murder as the outgrowth of the slaying of a Valdese merchant during the course of a robbery.

Against these chances which Beard had, there is nothing in the record, as the Daily News has seen or heard it, to show that 15-year-old Booker T. Watson had any. He is, according to advices received from a Nash county citizen, "simple minded to the extreme; an ignorant, impulsive misfit; a native in an environment productive of just this sort of thing." Who is the greater offender, certainly in the moral if not in the legal sense, a young man who had every opportunity and spurned it or a negro boy who has had none but spent his brief life under conditions which contributed to his delinquency and crime?

The problem of Booker T. Watson and there are many of his type, is not easily settled. He is a killer, society would probably be better off by wiping him out. But society's responsibility does not end so precipitously.

GREENSBORO, N. C. RECORD

WILMINGTON, N. C. NEWS

APR 6 1935
Guilty, But . . .

In changing the sentence of the Nash county black boy, Booker T. Watson, from death to life imprisonment the governor saves the state from the ignominy of executing a half-witted child who never had a chance.

Booker, from all accounts, is guilty as hell. Angered at a white land-

lord, 55, the boy, 15, rushed home pouting and mumbling the while snatched up a gun, hurried back and fired a fatal shot. The killing of the white landlord was obviously about any of the points we have raised. Only

deliberated, premeditated. This, inhere and there are data available which throw the eyes of the law, is murder in the light upon the slayer, and these are insuff-

cient to present any clear-cut picture of the group. Consequently, we have attempted to

Solicitor Gilliam, who prosecuted piece together such shreds of information as the case, recommending clemency will make a composite for guidance in understanding these criminals. Studies of limit-

ant's youth, said: "He was not 16ed groups indicate rather clearly that the at the time of the murder and I players are almost entirely confined to men. cannot avoid the feeling that it Negroes are found in numbers out of all relation to their proportion in the popula-

tion. Contrary to prevailing opinion these

murderers are not, for the most part, in the

very early years of adulthood. In several

studies the largest single group was in the

age period 25 to 34 years. Few of them have

had the benefit of a good education."

Even though this boy murdered in

cold blood the circumstances are

such that we believe the governor

did no violence to justice in com-

muting sentence.

The overshadowing tragedy of it

is that there are hundreds of youths

like Booker in North Carolina—

mental misfits, lacking opportunity

and a chance to better their lots

and not infrequently lacking in the

bare necessities of living.

What is the state doing about

these Bookers? Shall they be left

to grow up in poverty, ignorance

and crime. Shall they be herded up

and jailed, or perchance perma-

nently put out of the way? Surely

the state—society—has a sense of

responsibility. The quicker this is

realized the better it will be for so-

cietry as a whole. The way to remedy

or to eliminate evil is to begin at

the beginning.

MAY 6 1935

FROM WHENCE COME OUR KILLERS

Crime - 1935

North Carolina

Witnesses Tell How Police Beat Negroes

Charlotte News, N.C.
Provide Evidence To Show That Flying Squadron Of
Officers Attacked Negroes—Further Investi-
gation By Council And Commission.

Definite evidence that "flying squadrons" of uniformed and plain-clothes police officers staged massed attacks on unsuspecting negroes in various parts of the city's negro quarter Saturday night August 3 was presented at an investigative session of the city council and civil service commission yesterday afternoon that no one was on trial but that

Hard to Identify the witnesses were to be examined by any of the men.

However, of the seventeen negroes in an effort to get at the truth of who were examined in a four-hour session, very few could name any

Examine Petitioners

of the officers who are alleged to have participated in the attacks. examination of the group of prominent negroes of the Negro Pioneers

Most of the witnesses claimed that negroes of the Negro Pioneers they did not know the officers, were protective association who signed the civil service commission to conduct a hearing too excited and frightened to ob-petition requesting the civil service commission to conduct a hearing were too anxious to get out of the allegations.

way of the policemen to see who Dr. M. W. Butler, negro dentist, they were. 8-13-35 who was active in seeking an in-

But it was established from the investigation and who was one of the evidence that somebody was going negroes who signed an affidavit from place to place, scattering accusations on the part of the petitioners in eating establishments, like officers, was the first witness. knocking and kicking them, and He told of being in Estelle Pat striking them with blackjacks, cuton's cafe on East Second street sticks and rubber hose.

The hearing which began shortly after 3 P. M. and continued until ordering the customers out. 7 P. M. will be resumed at 7 o'clock Many were struck with blackjacks tonight, at which time it is expected and pieces of rubber hose, he said. that the score of officers, who were summoned yesterday, will be called had just ordered dinner and that

they were forced to leave. He paid

for the food which they did not

eat, he said. He also said that one was suddenly changed just at the beginning. previously it had been an but another said. "Don't hit him. nounced by Mayor Douglas that the I know him." He was unable to

hearing would be conducted by the name any of the officers."

civil service commission with members of the council merely sitting one of the petitioners, said that the in and at the opening J. M. Scar following morning it was "common borough, city attorney, explained street talk" that the officers had the law and declared that the civil service commission was the only visited the section the night before. He was asked to join in the petition body that could conduct a hearing for the hearing and he did so on police officers.

Sides' Position he said, to prevent any such occurrences. He said that the police had

Immediately Councilman L. Ralways been fair and courteous to Sides arose and declared: "There him, that often disturbances had is no law to prevent the city coun-occurred and that it was necessary cil from conducting any investiga- to call police, that they came tion that it sees fit and I do not promptly and id their work quickly. propose to sit here and just listen and that often noisy disturbances It's the council's business to have had interferred with the sleep of a thorough investigation of this en-respectable negroes. He had never tire situation and that is what I seen any misconduct on the part propose to do."

Civil Service Commissioner C. M. Z. Alexander, Jr., president of the Westbrook expressed agreement with negroes' association, heard com- the councilman's remarks and sug-plaints of the officers' conduct and gested that the two bodies sit to- with Dr. Butler began the request together for a careful investigation for an investigation. He said that This was finally agreed upon and he had "previously seen officers the investigation got underway. beat up negroes."

Solicitor Brock Barkley conducted the probe, first calling all witnesses J. W. Bumbry, barber, another into the council chamber to explain of the petitioners, said that police came to his place and ordered him

to close. He explained that he told them he had already closed and that he was "just cleaning up." They left and later he went to his loor, and saw negroes scambling from the adjoining cafe of Estelle he recognized Mr. Holliman, the fin. Patton. He said he heard shuffling inside the cafe. He also told of overhearing a telephone conversation of Victor Joens, who telephoned He said he saw the officers hitting and police headquarters regarding the striking various ones. di-turbance.

Robert Phifer, clerk in a market, Estelle Patton, owner of the cafe said he saw a bunch of officers beat visited by the officers, said that she "four or five people." He saw Lieutenant Sturgis but did not see him eight or 10 years and had never striking any one, he said. A negro had any trouble with police. She man walking across the street was said she lost several dollars because her customers were forced to was carrying were spilled in the street, rush out without paying her. She he testified. His lard run out and said the officers cursed and struck got in the dirt and "I gave him some more," Phifer said.

Says Woman Was Hit Victor Jones said that he was in Helen Parker's cafe on East Second street, when a group of officers in three or four automobiles drove up at the first command to put out the lights, Jones said he thought it was a hold-up but later saw uniformed officers in the streets. He said that he recognized Officer Campbell. When he saw an officer hit a woman he said he telephoned headquarters from Patton's hotel and told the man who answered the call that policemen were beating up men and women. He said he was asked if he had been hit and when he answered "no" the man at headquarters said, "Well,

that's too bad. We'll send them right back." Jones said from the tone of the voice he inferred that the police would be sent back to First and McDowell streets and was hit. He said he saw Officer Holliman and Lieutenant Sturgis. He thought he also saw Officer John Severs. He related that he telephoned the city manager and asked him if he had been shot in the back, and how he saw one officer break a cue stick over a negro's head.

Alberta Hayes, buxom negro woman, who laughed merrily when the solicitor questioned her about her arrests on liquor charges and of the visits of officers to her place to search for liquor, declared that three cars of officers drove up to he cafe on East Tenth street and to do that.

Each of the witnesses were examined separately, only one witness being called into the room at a time. She said she recognized Officer Barker, identified as the "short fat man" dressed in a blue suit, and Officer Hunnicutt. She said at least two negro men were hit and one mission, was with the officers on East Second street but during the entire afternoon no reference whatsoever was made to him. He sat with the other appeared to be drunk, as he "staggered into the sink," the witness testified.

Walter McNeely, 708 East Tenth street, was in the cafe, but he said he was more concerned with getting out without being hit than with seeing who the officers were. He said he was hit across the back and was unable to work for several days.

Hit Over Head Will Withers, also a customer in Alberta Hayes' cafe, said he was struck across the back and "couldn't work all last week." In answer to Commissioner Westbrook's question, he said that he did not have a doctor.

Robert Ellis, operator of a smoke shop on East First street, said that

Licensing Criminals

The practice of courts in imposing fines and suspended sentences often results in merely licensing criminals to harass and exploit law-abiding citizens.

For example, we cite the case of Nathaniel Foy, better known as "Brother" Foy, Winston-Salem Negro, who has been in court many times in recent years charged with bootlegging, larceny, receiving stolen goods, etc.

A few years ago Foy finally was forced to serve two comparatively short terms in prison, one in Atlanta and another in this State. But after leaving prison he returned to his former criminal practices and so far has been highly successful.

Several months ago he was convicted in our municipal court of violating the prohibition law. But no prison sentence was imposed. He was merely fined and given a suspended sentence.

Not long afterward he was convicted in a Greensboro court. Again, the prison doors did not swing open for "Brother" Foy. This time he was also fined and put under another suspended sentence.

And now "Brother" Foy comes into the Winston-Salem court once more, charged with larceny. But he is still a free man walking the streets under a \$1,000 bond. He said the city manager said waiting for a hearing in superior court which has jurisdiction in this case.

Once this notorious criminal was given "another chance" by the judge of our municipal court, upon the plea of a highly respected Negro citizen who agreed to give Foy a job and endeavor to persuade him to become a law-abiding citizen. But not long after that he was in court again for another fine and suspended sentence—but no prison sentence.

Just how this Negro manages to escape when so many others, white and black, are being sent to prison every week, we are at a loss to understand.

But this we do know: The common practice of fining such criminals as Foy and placing them under suspended sentences, thus enabling them to continue their nefarious business, is more responsible than anything else for the alarming increase in crime.

Crime - 1935

Concord, N. C. Tribune

October 24, 1935

THE CAUSE.

The News and Observer tells of the case of a Congleton, white, an attorney and dealer in seafoods and fruits, was Wilson county Negro who was sentenced to twelve months on the roads for stealing chickens. Walter H. Oakey in Recorder's Court on a charge of slapping Miss Marie White, a young colored woman. Congleton, his nine-year-old boy was playing in front of his father's fish market, which is in the colored section of this quiet little town, and two doors from Miss White's home, when Miss White's six-year-old brother supposedly Congleton's boy ran into his father's place and told his father. Being enraged because a colored boy had hit his son, Congleton became disengaged because he could not find young White on the street, months on the roads for his fifth conviction for he ran into Miss White's home and up the stairs, where he opened the door to Miss White's room.

Discontented because he could not find young White on the street, months on the roads for his fifth conviction for he ran into Miss White's home and up the stairs, where he opened the door to Miss White's room. This crime and his sentence was hailed as one of proper severity. But as The News and Observer says, even "six month sentences for drunken drivers are almost as rare as blue horses on North Carolina's roads."

This indifference to the man who drinks and drives is the cause for disrespect of our courts and our laws. "Maybe some day the judges inflicted North Carolina courts will come to consider a man who drives in drunken menace on the public roads of the State a character as dangerous as a man who slips two chickens out of a back yard," says our Raleigh contemporary. "When they do, when they consider the safety of people on the roads as important as the safety of chickens in hen houses, as a State we may begin to get somewhere in creating respect for the law on the roads of North Carolina."

WHITE MAN WHO SLAPPED NEGRO WOMAN FREED

Journal and Guide
Negro Who Did Same Thing Was Lynched A Few Weeks Ago

11-23-35
Special to Journal and Guide

HERTFORD, N.C. — Luther F.

GUILTY OF MANSLAUGHTER

Guilty of manslaughter was the verdict

last week of a Bertie county jury who sat in the trial of a Negro, Spurgeon Burke, who had killed a six-year old white child of that county with an automobile. A

sentence of two years was imposed upon

the Negro for his act of carelessness which

resulted in death. We know none of the

circumstances surrounding the death of the

child other than he was killed by an auto-

mobile driven by the Negro. Perhaps the

driver was drunk, or it may have been a

case of hit-and-run, or reckless driving.

Yet, whatever incriminating or mitigating

circumstances there may have been con-

nected with the case, this Negro killer, we

have no doubt, had no intention of killing

the child for whose death he was sentenced

to the penitentiary. He did not kill in an-

ger, or with malice afore-thought as a

murderer. Unquestionably, as it is often

expressed, he would not have had the ac-

cident, if a death resulting from careless-

ness or recklessness with a machine as

dangerous as an automobile is known to be

should ever be called an accident, happen-

for "anything in the world." But it did hap-

pen and the child was killed by the Ne-

gro's carelessness.

The Bertie county jury decided that

such an "accident" constitutes the crime

of manslaughter. In that we agree with

the jury. More verdicts of this sort by

juries before whom careless drivers who

bring death on the highways are brought

for trial will go a long way in impressing

the importance of observance of traffic

laws. It will accomplish more for high-

way safety than any other force, including

highway patrols and license laws. Nor

should such verdicts be restricted to Ne-

groes who kill whites, but imposed without

discrimination upon all highway killers,

high and low, white and black, young and

old.

Windsor, N. C., Advance

November 28, 1935

(From Hertford County Herald)

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Crime - 1935

North Carolina

Charlotte, N. C. Observer
September 8, 1935

GENERAL MECKLENBURG.

Mr. J. B. Marshall, City Manager;
Mr. C. C. Beasley, Chairman,
Civil Service Commission.

Gentlemen:

Your activities of the past week along the line of promoting betterment to be taken, will be taken at **CHAIRMAN WHITE TESTIFIES.** Prior to the testimony given by discussion" of the findings arrived city policemen, the members of the two boards heard a denial from the policemen, three negroes, who began Monday, with the presentation of the allegations of the commission, refused one of the negro eating places al-

discipline in the Police department have had the approval of the majority of the citizenship of Charlotte, in my opinion. Your disposal of the cases of the 13 police officers involved in the disturbance of the night of August 3 in the negro section, it seems to me, was sufficient to protect the interests of the department in the matter of discipline and yet was not so drastic as to impose an injustice upon any one.

All together, I think your efforts of the last several weeks to increase the efficiency of the Police department and to raise its standards of discipline have been commendable, and should result in a stronger police force and less of disturbance, friction, jealousy and incidents reflecting upon the good name and reputation of the department, of which there had been too much.

GENERAL MECKLENBURG.

ASSERT THEY *Observer* WERE SENT TO *Charlotte N. C.* QUELL FIGHTS

At Conclusion of Testimony Early This Morning, Mayor Douglas Said That Any Action Council Might Take Will Be Taken at Regular Meeting This Afternoon.

The 13 city policemen alleged to have brutally and unprovokedly attacked negroes in several sections of town on the night of August 3, individually made flat denials of the charges in testifying before the city council and civil service commission meeting in a joint session that lasted until 2 o'clock this morning.

Each of the policemen alleged to have participated in midnight raids on negro business, and testified that it was to being at the points in question this disturbance that later led to the Brooklyn section of the whole business that is now being investigated by the council and maintained he had not entered any commission. Immediately after the last police charged in the negroes' petition, man called to the stand finished used blackjack, rubber hose, or his testimony, at 2 o'clock this billiard cues on anyone on the night morning. Councilman Albea moved in question. **9-1-35** that the meeting be adjourned.

Supporting the testimony of the officers was that of a surprise volunteer witness, A. L. Bridges, to a closed session for "informal

Chairman White that he had either participated in or saw any brutal treatment of negroes by Charlotte police around midnight of August 3 a. m.

Mayor Douglas declared any ac-3. East Second street, said a number of persons were eating at her place

the regular council meeting this afternoon. declared he was seated in a police car on South Alexander street near disperse the customers who were

A. P. White, chairman of the civil service commission, refused one of the negro eating places al-

any statement. It was Mr. White's legend to have been raided by police. Willette Gaffney, employed at a sandwich shop at 527 East First

presence near the scene of the disturbance, but said he saw no evidence of brutality. He did see a number of negroes running from the place, and when he started to leave they

accompanying officers on the calls of negroes running from the place, and when he started to leave they

on the night of August 3, that led he said, but considered that not

the council to sit with the civil unusual since negroes usually scatter when they "see the police com-

mand to take over when they "see the police commissioners inordinately the complete control."

He said the officers were taking him home after an investigation he had made of the city jail. Officer Campbell struck him. (Off-

hands of the civil service body. The civil service chairman said testimony was at home during the

streets near First and McDowell he would not state that the charges time of the alleged attack and in

streets, and First and Davidson filed by a group of Charlotte no way participated). He stated

streets, where the alleged "flying negroes in their request for an investigation of alleged misconduct

squadron" of officers was said to have conducted a brutal attack up on the part of "four car loads of

on colored citizens, were crowded officers" were not true, but he was

and that a number of fights were positive in his declaration that if

in progress. They said they eliminated the congestion and closed a it was without his knowledge and

number of establishments, but de-consent.

nied that they assaulted anyone. Chief Littlejohn, who was ordered to make a thorough investigation he was not present at the

SAY POLICEMAN ATTACKED. Several officers testified that the allegation by Chief Pittman, reported negroes attacked a policeman and that five officers named in affi-

that his shirt was practically tornavits as having participated in from his body before other police the alleged mass attack, were not

men came to his rescue. in any way involved. He did, however,

The hearing, which began about ever, name 13 officers who were in department to testify was Chief

7 o'clock continued until early this morning with Mayor Ben E. Doug-12 o'clock on the night in ques-

las presiding and City Solicitor. These officers, he said were 4, and asked if he had received

Brock Barkley doing most of their three police cars. The officers any reports of trouble Saturday

questioning. From time to time, Chief Littlejohn named, and who night. Monday, August 5, Chief

members of the civil service com-later admitted being in the vicinity of police headquarters and again

frequently the city councilmen did Brown, Funderburke, Presson, Hol-

likewise. Principal witnesses in ad-liman, McCall, Ritch, Philemon, received "about Saturday night."

dition to Civil Service Commission Timmons, Finlayson, Miller and Chief Pittman explained that it

Chairman A. P. White, were Police H. C. Baker.

was customary for Mr. White to call and inquire about general

Chief E. D. Pittman, Assistant Chief FOUND STREETS CONGESTED. When called upon for individual happenings of the police department

Frank N. Littlejohn, Night Executive Officer B. A. Williams and Lieutenant A. L. Sturgis. testimony the officers frankly ad-

mitted they went to several negro districts, but declared they went instructions for a mass attack and

there to quell disturbances. They that the first he knew of the af-

ficited with negroes. They denied notified of the affidavits that had

they received calls at headquarters using blackjacks, cue sticks and been signed and of the petition

that fights were in progress, and rubber hose, in running patrons demanding a hearing before the

later, upon arriving at the scene, from cafes and other places of commission.

business. Only two officers during On Tuesday, August 6, Chief

the entire investigation said they Pittman related, a woman came

other negro districts where disturbances were reported.

During the investigation, which saw any rubber hose and then by headquarters and asked if it

was continued from Monday afternoon when the council and commission heard 17 negroes testify to

maintained they were in the hands was necessary for her to close her

of officers but were not used. They place of business on Saturday also denied using profanity when night. Chief Pittman said he told

closing the places of business. the woman that the place of busi-

ness could remain open provided ten out of the car when the "it was quiet" and if she had a groes rushed by from a nearby permit to run the place.

On further examination Chief negro. Later we went to First and Pittman said it had been neces- McDowell streets where I saw at sary for a number of licenses to a distance Officer's Williams and be revoked because of disorders Sturgis.

Carl Hellman, employe in the fingerprint department, said under oath that it was not his duty to participate in patrol work, but that he had been working late and asked Officers Timmons and Philemon to take him home.

"We went to First and Davidson streets," he related, "but stayed there only a few minutes and continued on to McDowell and Stone wall streets. When we first arrived at First and Davidson streets denied having taken an active part in any "affray" at the time.

HO:E.
"I knew nothing about what a planned mass attack."

Chairman White said he did not see officers promiscuously attacking negro citizens and during the turbances and fight. He saw he was on vacation and was not

know who led the reported raid ficer Brown was driving one of the affidavits he turned the en- the police were doing there. As I wall streets. When we first ar-

and that when he was informed them. I did not investigate what tire investigation over to Chief said before I was on my way home I saw two other police cars." and certainly knew nothing about

He also maintained he did not two other police cars. I believe Of- officers Timmons and Philemon to

members of the police department. First and Alexander streets I saw He also maintained he did not know who led the reported raid ficer Brown was driving one of the affidavits he turned the en- the police were doing there. As I wall streets. When we first ar-

of the affidavits he turned the en- the police were doing there. As I wall streets. When we first ar-

and that when he was informed them. I did not investigate what tire investigation over to Chief said before I was on my way home I saw two other police cars." and certainly knew nothing about

Littlejohn.

Chief Littlejohn said he started time he was in the vicinity did not see any officer using a blackjack, rubber hose, but that none of them

when he, Chief Pittman, and Dr. cue stick or rubber hose.

Claude B. Squires, a member of the civil service commission, ques- his testimony Chief Pittman was again called to the stand. He re-

He said the information he iterated his previous remarks that been holding blackjacks in their hands," he said.

gathered "to an extent corroborated Mr. White had called him on Sun- hands," he said.

the testimony of the affiants." He day and Monday with reference to Officers Funderburke said he was

said the first time he heard of anything that might have hap- off duty, but had been "hanging

Chairman White's being present pened Saturday night.

was when he was informed by a "Mr. White said nothing about a negro, who said he had seen Mr. fight to me." Chief Pittmann said.

White with several officers during B. A. Williams, commanding of- the time the raid was said to have ficer at night, testified that he and negroes jumped on me and my streets.

taken place. Chief Littlejohn said Sturgis left headquarters together shirt was almost torn off."

Mr. White left headquarters with to investigate disturbances near First and McDowell streets. Upon and R. L. Miller to answer a call arriving at that point he said he

"found negroes running every way" where in an automobile."

He said so far as he was able and that the streets were congest- to learn Mr. White did not par- ticipate with the officers in clos- ing up any establishments and did

"I saw about eight or 10 officers see any officers strike unoffending

not participate in any attack upon around," he said. "I saw some of- negroes. Chief Littlejohn said his ficers slapping negroes with what

investigation disclosed that while looked like straps to blackjacks, fidavit of striking a negro, testi-

the police car in which Mr. White but there was no violence on the tied that he was at his home at

was riding stopped in the neigh- part of the policemen."

borhood negroes came rushing by Mr. Williams declared that the place. Chief Littlejohn said from than the first of last February.

and Officer Baker was struck by attitude of the negroes in this par- his investigation he learned def-

one of them, he said. Commis- ticular section is "hostile towards inately that Mr. Bowlin did not

sioner White, according to Chief officers." He further testified that participate in the reported assaults.

Littlejohn, remained at the auto- he saw one negro drop groceries Officer John Severs, identified by

mobile. He said he understood the as he ran. He declared he told the L. L. Little as having struck him,

policemen were taking Mr. White negro to pick up the groceries that maintained he was in another ward

home when they stopped on the "no one is going to harm you." and did not participate in the al-

SAW NO ROUGH STUFF. leged attack. His statement was

Chairman White stated that "I was there," Mr. Williams said, substantiated by Chief Littlejohn.

about 9:30 o'clock Saturday night, and I didn't see any policeman hit

T. R. Hunnicutt, who also was re-

August 3, he telephoned headqua- a negro with a cue stick or rub- ported to have been in the negro

ters and asked that one of the ber hose. I think they have built district, declared he was on va-

cruising cars pick him up at his a mountain out of a mole hill. I cation and did not in any way be-

home on East Boulevard. He said didn't even think enough about the come involved in the alleged at-

he went straight to headquarters occurrence to make a report of it," tack. Chief Littlejohn likewise de-

and conducted an investigation of he concluded.

the jail. About 12 o'clock, he re- Lieutenant Sturgis said he heard involved.

lated, he asked Officers Finlayson, of a fight at First and Davidson R. L. Miller declared that he was

Baker and Miller to take him home. streets and that he went there with Officer H. C. Baker and Com-

A call came in, Mr. White said, Mr. Williams. "I went to a cafe missioner White and went to First

"and we went to First and David- there and told them to close up," and McDowell streets where they

Alexander street and parked. Baker "two police cars were already saw a number of other officers. He

got out of the automobile, but I around."

did not. Mr. Baker had just got- Lieutenant Sturgis stoutly main-

tained that he did not see any po- liceman acting unnecessarily rough and was positive that he did not see any blackjacks cue sticks or other implements being used by the po- licemen.

Carl Hellman, employe in the fingerprint department, said under oath that it was not his duty to participate in patrol work, but that he had been working late and asked Officers Timmons and Philemon to

know no arrests were made by conducting any kind of a raid. At "We went to First and Davidson streets," he related, "but stayed there only a few minutes and con-

tinued on to McDowell and Stone wall streets. When we first ar-

ived at First and Davidson streets denied having taken an active part in any "affray" at the time.

M. A. Altman, detective, who was went to First and Davidson streets. They will augment, he said, a set but maintained that he did not see of city rules previously provided

any officer strike an unoffending for local police.

Officer Brown admitted that he study, the city manager disclosed

negro citizen. He said he went there on reports of "disturbances." He

used them. "I even might be mis-statement.

Officer C. H. Baker corroborated When Mr. White had completed taken that they had rubber hose. Officer C. H. Baker corroborated

the testimony of Officer Miller and It was rather dark and I couldn't the testimony of Officer Miller and

tioned a number of the affiant. again called to the stand. He re- see good. The officers may have also denied having struck any ne-

gro with a blackjack or any other instrument.

Practically every one of the of- ficers said reports were received

around" headquarters. "Practically every night" that

was when he was informed by a "Three or four of us," he said, fights and general disturbances

White with several officers during B. A. Williams, commanding of- where a fight was going on. Some borhood ci McDowell and First

the time the raid was said to have ficer at night, testified that he and negroes jumped on me and my streets.

taken place. Chief Littlejohn said Sturgis left headquarters together shirt was almost torn off."

When asked if he had seen Com- department assigned to answering Officers H. C. Baker, Finlayson First and McDowell streets. Upon missioner White, Funderburke re-calls, testified to answering the

and R. L. Miller to answer a call arriving at that point he said he plied, "I thought I saw him some-calls, testified to answering the

at First and McDowell streets. "found negroes running every way" where in an automobile."

the places of business in question, Funderburke said two or three or striking or clubbing anyone.

negroes jumped on him without RECESS FOR LUNCH.

provocation. He said he did not At 12:35 a. m., a short recess was

had food sent up from a nearby restaurant.

The last four policemen called the time the alleged attack took all having been employed later

negroes came rushing by Mr. Williams declared that the place. Chief Littlejohn said from than the first of last February.

and Officer Baker was struck by attitude of the negroes in this par- his investigation he learned def-

one of them, he said. Commis- ticularly that Mr. Bowlin did not

sioner White, according to Chief officers." He further testified that participate in the reported assaults.

Littlejohn, remained at the auto- he saw one negro drop groceries Officer John Severs, identified by

mobile. He said he understood the as he ran. He declared he told the L. L. Little as having struck him,

witnesses.

Gastonia, N. C. Gazette

September 25, 1935

Preparing New Police Rulings

City Manager Harry Rutter said Wednesday a draft of new rules and regulations for the Gastonia police department, centering around handling of prisoners, is in preparation by City Court Judge A. C. Jones.

The new rules will probably be issued to city policemen shortly after October 1st, City Manager Rutter said.

The city council, in recently re-

Crime - 1935

Pennsylvania

WHITE WIFE SAYS 2 NEGROES IN PEN FOR HUBBY'S CRIME

"My husband and his companion blacked their faces and went out on these holdups. My daughter and I overheard their plans by listening to them talking in the basement through the clothes chute."

Pittsburgh, Pa.—Another startling crime was solved here this week when a white woman broke down and told the truth to the police. Mrs. Jane H. Flowers told county detectives that her husband, Henry W. Flowers, serving a term in Western penitentiary for the slaying of her brother, Oakley Reynolds, blacked his face and with another companion, committed holdups for which two Negroes were subsequently tried and convicted.

The Flowers woman wants a divorce, and through her attorney, Louis Little, turned over to authorities a complete record of the case, implicating Flowers and his unnamed and, as yet, unapprehended accomplice.

The white woman declares she and her daughter discovered her husband's holdup activities by listening to him and his accomplice as their voices came from the basement via a clothes chute.

South Carolina

Crime-1935

Columbia, S. C. Record
March 2, 1935

White Defendants Outnumber Negroes in Two City Courts

Thirty-five cases were tried in court, 23. In the month 1,099 days were served on the gang and 1,019 were prisoners were tried in recorder's court in February according to the reports of A. C. Fitts, clerk of the juvenile court, and W. B. Hughey, assistant chief of police. Heyward Brockinton is judge of both of the courts. White defendants led negroes in both courts.

Of the 35 juveniles, 14 were white boys, four were white girls, 15 were negro boys and two were negro girls. Of the 650 police court cases, 305 were white men, 25 were white women, 247 were negro men and 73 were negro women.

Offenses for which the juveniles were tried were: housebreaking and larceny, one; petty larceny, ten; disorderly conduct, five; gaming, six; truancy, five; incorrigible, three; loafing and loitering, two; dependents, two.

Offenses for which the adults were tried: drunk and disorderly conduct, 103; helpless drunk, 154; disorderly conduct, 85; disorderly house, three; petty larceny, 28; grand larceny, nine; carrying concealed weapons, eight; resisting arrest, ten; vagrancy, ten; violating prohibition, 13; nuisance, one; violating the license ordinance, five; reckless driving, 14; gaming, 25; discharging firearms, two; traffic ordinance, 14; speeding, 16; interfering with officer, three; health ordinance, four; loafing and loitering, 35; assault and battery, seven; highway robbery, two; housebreaking and larceny, two; indecent exposure of person, one; lunacy, three; driving car drunk, eight; breach of trust, one; murder, one; immoral conduct, two; safe keeping, seven; investigation, 54.

Disposition of juvenile cases: three fines amounting to \$21 or 21 days imposed; committed to reformatories, three; committed to boarding school and church orphanage, two; returned to parents or guardians, two; bound over to general sessions court, two; settled out of court, 24; placed on probation, 28; dismissed and continued, three. Twenty-eight visits were made during the month by Mrs. M. P. Kramer, chief probation officer.

Disposition in recorder's court: fines paid, 98; cases dismissed, 211; sent to gang, 84; city jail, 99; county jail, 18; turned over to magistrates, 12; turned over under state warrant, seven; sentence suspended, 93; sent to hospital for insane, three; turned over to U. S. government, two; sent to juvenile

white men approached and tried to be year they exceeded Negro vio-the first Negro that has been need-pick a fuss with the negro, finally ators, and that's saying muchlessly clubbed by an officer and shoving him off the side walk. The ne-when it is remembered that who, as a rule, get further punishment by being fined or sent to the trouble, walked away. Another negro, man would not be arrested. The chain gang for "resisting an offi-standing near, remonstrated with the cost of feeding prisoners mountedcer." In this case, however, the young men and stood his ground when tax papers \$500 a month. Well, of his employe, and much interest they tried to run over him and finally the city fathers have gotten tired has been stirred up over the State, bluffed the men. It was evident that of this. They have decided that putting that Constable on the de-the whites were drinking. It is just such he who would eat, must work. So offensive. At least, after all the conduct as this that frequently starts a once again there will be a city gang trouble is over, there will be one serious affair. The negro should be pro-will be further favored by work-protected and the accusers prosecuted. Sev-eral instances of this kind have been reported lately. It seems that conditions nounced. Anyway the city fathers

have taken a sudden change in Mullins are on sound grounds. Why feed ade near Camden Sunday, after The Enterprise can no longer say people who violate laws for nothing. Some few states are requiring that moral conditions have improved their prisoners who are able themselves with ammunition, and since legal liquor came in. It is bad to pay for their keep—Michigan being the latest state to adopt this

guards, may have some outside On Monday morning there were 27 policy. society or organization interest it-cases on the police blotter, the larger self in their behalf, and by virtue of them directly or indirectly of the recent Supreme Court decision in the Scottsboro case es-the tobacco sales, with money floating around freely, has brought on an undesirable state of conditions. The police department is being taxed to handle the

CITY CHAIN-GANG FOR WHITES AGAIN

Palmetto Leader
COLUMBIA, S. C., May 24.—(AP)—Assuming he "didn't mean to do it," Curtis Williams, Greenville negro, paid with his life today for the slaying of Ansel Drummond, Greenville taxi cab driver, last Feb. 13. When he was led to the electric chair at the State Penitentiary here about 6 a.m. Williams admitted the murder but said he was drunk at the time. "I'm sorry that I done that," he told prison officials. "I didn't mean to kill him. I have done other things that were wrong but I ain't never killed nobody before. It was sin that caused me to do it. I'm forgiven and ready to go."

Mullings S. C. Enterprise
August 15, 1935
A few nights ago, on Saturday, a harmless looking, good natured negro, was standing on the side walk in front of Barnhill's store. Several young local

Near Charleston, last week a Negro waiter in a tourist camp was clubbed over the head by a State liquor Constable. The Constable is quoted as telling the waiter that he could do anything to him and get away with it. The waiter and his employer didn't like it however. A warrant was sworn out That is to say, they were worked for the Constable charging him at night. Their good feeling was with assault and battery. They say not allowed to be hurt by having the Constable at the time was un-law abiding citizens viewing them der the influence of intoxicants and in the day time. Well, the time in company with a woman com-came when some of them were panion. The Constable countered sent to work on the airport in the the next day by having a warrant day time. That did not suit them issued against the employer and it was too humiliating. Day waiter charging them with selling gang work was not for them; they liquor illegally. He denied, or simply refused to work, and the course, that he was drunk or that authorities allowed them to get he had a woman with him. In-away with it. The Negro prison-stead, he says that he was only ers were affected; they became dis-satisfied. And why wouldn't they? only way these people would sell Anyway no more white prisoners him liquor and the woman was a-ware sent out in the day time. In another man somewhat disguised as fact, the white gang was abolished a woman. Evidently the Magistrate —white violators being sentenced before whom the waiter and his to days in the city jail; Negroes employer did not believe the some- however, who had no feelings towat what fantastic story of the Con-consider, got the gang. Result: stable as he dismissed the clubbed White violators cared not much boy and his employer, but sent or sentences; their number in the case of the Constable to the reased. In fact, many months of higher court. The waiter is not

Greenville, S. C. Piedmont
November 11, 1935

His First

G OVERNOR JOHNSTON'S first act of clemency since assuming office at the first of the year was in behalf of an illiterate, ignorant and semi-moronic negro who had killed a member of his own race and the reduction of his penalty was approved by officials familiar with the case, including the presiding judge.

The governor's record and attitude in the vital matter of clemency con-tinues admirable.

Charleston, S. C. News & Courier

November 9, 1935

"First Rate Piece of Work"

A negro twenty-five years old confessed to the murder of a negro girl, was tried and condemned to die, in Columbia. He was undoubtedly guilty. The judge and the prosecuting officer recommended that the sentence be commuted. Governor Johnston, who has been sparing in the exercise of executive clemency, went to the prison and saw the negro.

In the shadow of death the man did not even ask for clemency. "He is of a low order of intelligence", and the governor said it. The man is not insane, he is not an imbecile. The governor perceived that the friendless creature was a proper subject for clemency and he exercised it.

"It was a first rate piece of work," said a Charlestonian yesterday, and it was. The judge, Mr. Johnson, and the solicitor, Mr. Spigner, shared in it. And Governor Johnston has been careful and scrupulous, like an old-fashioned governor, like a Hampton or a Simpson, in issuing pardons and commutations.

Judges and others in authority have been looking after poor negroes always in South Carolina. Cases are unknown when injustice has been done negroes if the judge could stop it.

Incidents like this commutation by Governor Johnston are never mentioned in the Northern "liberal press", a press which tries the "Scottsboro boys", acquits them, denounces the Southern courts—and obstructs the efforts in the South to put an end to lynchings.

Crime - 1935

NASHVILLE, TENN.
MORNING TENNESSEAN

JAN 21 1935

"Hush Money."

The case against two deputies sheriff who are alleged to have been collecting "protection money" almost weekly for two months from a negro woman bootlegger calls for the most drastic sort of investigation and, in case the charges against them are revealed yesterday by Felix Beas-Ripley, Tenn., homes.

W. E. McKay and M. T. Deford are alleged to have walked into a trap Wednesday night which had been set for two unidentified men who had been "bleeding a bootlegger to death taking money from her every week."

Arresting detectives reported they hid in the woman's home and witnessed the passing of a marked \$5 bill from the woman, Era Barksdale, to McKay while Deford waited in an automobile outside, and that they immediately took McKay, who had given the name of "Johnson," and Deford into custody.

Upon hearing the circumstances of the case Sheriff Bauman dispatched his chief deputy, John E. Murray, to police headquarters and he took the commissions and badges of the two men.

The technic the deputies are alleged to have employed is as old as the hills. They would visit the woman's home and there find liquor. Instead of arresting her, as it was their duty to do, they would then demand money and tell her that if she didn't meet the demand they would take her to jail.

The Barksdale woman has a police record. She has been arrested several times. But lack of sympathy for her is no argument for condoning the illegal policy which the deputies are alleged to have followed.

Two officers of the law, whose duty it is to arrest bootleggers whenever they find evidence against them, are charged with collecting "hush money" instead.

The evidence against the men is impressive. The willingness of the woman to lay herself liable to arrest in order to stop the extortion, the marked money which is reported to have passed between her and the deputies and the testimony of the detectives who were present combine to make a condemning array.

Nashville Tenn. Tennessee

March 15, 1935

Crime Maps Reveal
Nearly All Murders
Occur in Negro Area

Ninety-eight per cent of Nashville murders since 1928 have been committed in negro residential sections of the city, it was re-

ported yesterday by Felix Beas-Ripley, city engineer, who is preparing a series of crime maps of Nashville as an aid to law enforcement authorities.

A "murder map" showing the location of each murder committed here from January, 1928, through March 9, 1935, reveals that

nearby all of the first degree homicides have been concentrated in Rocktown, a South Nashville ne-

ighborhood section: "Crappy Chute," similar section in East Nashville; along Cedar street, Nashville's "Beale Street," and in "Cab Hol-

lywood" in North Nashville between

Jefferson and Buchanan streets, quoted the negro as saying the gang

was involved in the holdup of Macklin

Halliburton in Ripley about five months

ago. At the location of each murder scene, a black dot has been placed

on the map, and the sections named

above are almost blackened out in some spots, so densely are they populated with the little dots.

Another map to show holdup localities is being prepared and also one to show the sections in which other crimes have been concentrated. Similar maps showing the concentrations of white and negro population were the first of the series to be drawn.

Mr. Beasley declared the maps are to be used in the assignment of radio patrol cars when the city's new police radio equipment is installed.

Black Hooded
Gang Of Negro
Bandits Caught

MEMPHIS, TENN., March 21.—(AP)

The "black hooded" gang of terrorist bandits, police said, was wiped out with arrests last night and today in west Tennessee.

After a 24-hour drive, officers walked investigation revealed him lying into police headquarters this morning prostrate on the floor with blood with four negroes in custody, and fifth flowing from an abrasion of the negro was picked up later in Tipton County.

Detective Inspector Will T. Griffin said that these arrests together with two negroes previously arrested, completed the roundup of the bandits who terrorized merchants of north Mississippi, west Tennessee and east Arkansas for several months.

The bandits, Griffin asserted, roamed the short one kept the gun trained to arrest him as the result of an investigation by the district attorney's office into bonds given by them in mail fraud charges.

The bonds of \$10,000 each given by Dr. J. W. Beckett, Dr. D. J. Thomas, Dr. D. B. Harrell and Dr. A. Ross, were shown to be secured by property which the appraiser appointed by the court either could not locate or for which the appraisal was as much as \$7,000 less than the bondsmen.

Dr. Beckett was taken into custody Thursday and he was joined by Dr. Thomas and Dr. Ross, who evidently made the telephone call, enter the place and there was

no evidence either inside or outside of the garage of any struggle or benefit collection racket through which they are credited with fleecing insurance companies out of nearly \$30,000 by means of faked death certificates on living policy

holders.

Griffin said the gang may be linked in the robbery of a depot and filling station, gro's found in the records of Puryear, 1932. When the murder was first brought to the attention of the police, Griffin also

quoted the negro as saying the gang was involved in the holdup of Macklin who appeared at the police headquarters with the calm assertion

that "I have just killed a Negro hobo who attacked my wife." The police rushed to the Puryear home and found Mrs. Puryear in the house fatally wounded, and the "Negro hobo" in the yard on the verge of gasping his last breath. The latter was rushed to the hospital where he too had a story to tell, which was:

"My name is Jamison. I was hired to do some work at Mr. Puryear's home this morning and as we walked in the backyard, Mr. Puryear, without warning, shot me in the back."

At the trial of Puryear, the state maintained that Jamison had been killed by Puryear and that he committed the murder to cover up the murder of his wife. He was convicted and sentenced to 15 years in the penitentiary and appealed the case.

Memphis, Tenn., Commercial Appeal August 17, 1935

TWO NEGRO DOCTORS
JOIN THIRD IN JAIL

Federal Officers Await Return
of Fourth This Morning

"I was in the front part of my garage, when a tall Negro walked in and told me to 'stick 'em up.' I did as he ordered and then told him where the keys to the safe were hanging. In the meantime, a third in Shelby County jail yesterday short Negro had joined him and day while federal officers awaited the return of a fourth this morning

NASHVILLE, TENN.
MORNING TENNESSEAN

SEP 29 1935
NEGRO BOSS AGAIN
HELD AS OFFICERS
ARREST 40 IN RAID

City, County and State
Combine in Dash On
Rains' Place.

City, county and state officers last night descended on the Porters' and Waiters' club at 428 Cedar street, for the second time in less than a week, and arrested Jim Rains, proprietor of the amusement place, along with 40 other negroes.

The 40 patrons of the place were charged in state warrants of gaming, while Proprietor Rains was booked on charges of owning and operating a gambling house and with violation of the state bone dry law.

The arrest last night of Rains, reputed negro political boss in the Eighth ward, follows his arrest last Tuesday and his acquittal in city court on Wednesday on charges of violating the bone-dry law, the state tobacco tax law and operating a poolroom without a license.

Rains was defended after the first raid by Assistant City Attorney Jack Keefe when he appeared before Judge Guild Smith in city court.

Only a few days prior to his

arrest last Tuesday. Rains had been summoned by Atty.-Gen. J. Carlton Loser to testify regarding the investigation of election frauds in Davidson county. **Nashville, Tenn., November 15, 1935**
Overrules Motion for Negro
Memphis, Tenn., Nov. 15—(P)—

City Detective A. T. Inman de-Negro attorney for J. W. Becket
declared the officers watched the pro-Negro physician on trial for mal-
practice inside the gaming house fraud in an alleged scheme where
before they crashed through the by Negroes were falsely certified
floor, and observed a number of as dead and benefits collected from
trap games in progress.

He said the proprietors of the place "poured" out whisky kept here, but the officers confiscated the containers.

The greater percentage of the negroes appeared in their early twenties. There were five girls in the lot. Not one of the customers of the house escaped in the raid, officers declared.

The raid was made by Detectives Inman and Ed Burgess, State Investigators Bob Tarkington and Tom Aldred, and Deputies Sheriff Leonard Castleman and H. F. Jones.

Corpses' Appear at Fraud Trial of Memphis Physician

Underline news to the U. S. Census Bureau, 1930 listed Shelby county a percentage of 45.2 Negro, Fayette 71.2, Dyer 16.7 Lauderdale 39.1 and Tipton 41.8, and stated it was next to "humanly impossible" to draw a venire from those counties which comprise this federal judicial district with only the names of approximately six Negroes placed in the jury box.

MEMPHIS, Nov. 21 (ANP).—The most sensational case to be tried in federal court of the Western District in years, involving the U. S. versus Dr. J. W. Beckett, Negro practitioner of this city, went to trial here Thursday morning after pleas of "guilty" to mail fraud had been entered by

T. C. Yarbrough and A. C. Jones, white, former agents of the Metropolitan Life Insurance Company of New York, and Amanda Smith colored matron. Judge John D. Martin overruled the Settle motion, and care-fully supervised the procedure of the court from that point on as defense counsel intimated that he was laying

After preliminaries and formalities, Judge Sam Gordon called the case of the stocky, swarthy doctor who is the first of the defendants to be tried on charges of violation of the mail fraud laws, involving approximately \$60,000, opened its case. Among those giving allegedly euchered from the Metropolitan by "fake means," over a period of five years, was the government's chief witness.

counsel intimated that he was laying the ground wires for an appeal in event of conviction.

Launch Into Case.

Says Jury Illegal and to whom the troubled physician had given a signed confession. Others trial when attorney for the defense, attesting to the fraud were Thomas J. T. Settle, offered a motion de- C. Yarbrough, former agent, who im- claring the federal court illegal be- plicated Dr. Beckett in the cases. The highlight of the trial was the

The highlight of the trial was the testimony of the accused Dr. Beckett. The dapper practitioner, crestfallen, seemed to lose his usual poise and in his effort to impress the jury for clemency or exoneration receded into the "Uncle Tom realm." Beckett said:

This was the second attack that Attorney Settle had made on the jury drawings, a previous one having been invalidated because it was not filed within the required time.

Settle's motion gave statistics showing that population figures according to "Verdict for U. S." were held Thursday morn-

Sessions were held Thursday morning, afternoon, and night and again Friday before final arguments were

presented to the jury. Judge Martin who at the beginning of the trial had made it known that this court is for justice, fairness and hews to the law without regard to race, color or former creed," delivered his charge to the jury, but was forced to return them to privacy after they had come into court and read a verdict in favor of morning after 'pleas of "guilty" to night sessions also, the prosecution mail fraud had been entered by T. C. Yarbrough and A. C. Jones, white, giving damaging testimony against former agents of the Metropolitan Dr. Beckett was Inspector Griffin Life Insurance company of New York and Amanda Smith, coloredness and to whom the troubled physician had given a signed confes-

After preliminaries and formalization. Others attesting to the fraud were Thomas C. Yarbrough, former ties Judge Sam Gordon called the case of the stocky, swarthy doctor or agent, who implicated Dr. Beck-Beckett, however, was on trial on eight indictments which involved four defendants to be tried in the cases. The highlight of the trial was the mail fraud laws and involving ap-pleals with a mail fraud and a conspiracy charge on each one. The defense practitioner credit testimony of the accused. Dr. Beck-

Another Bombshell

As soon as Judge Martin had discharged the jury Attorney Settle made a motion to arrest judgment "fake means" over a period of five years, and to declare a mistrial. Attorneys for the prosecution were absent from the courtroom. The judge receded into the "Uncle Tom" room.

for the prosecution were absent from the court when the verdicts were rendered and Judge Martin set Monday as the date for hearing arguments as to the validity of the motion.

Says Jury Illegal

Bombshell number one came in the trial when attorney for the defense, J. T. Settle, offered a motion

tion receded into the "Uncle Tom" realm. Beckett said in answer to one question propounded to him that he signed the bogus death

All four of the "dead" persons on whom insurance claims were collected, were produced in court. They legal because it did not give the Negro fair representation. He contend that the presence of only six Negroes' names in the flesh" before the jury. or a few more Negroes' names in

Late Saturday, following the filing of the motion by Lawyer Settle, the court ordered that a new panel of 48 jurors be drawn for service Monday and Wednesday when Dr. Beckett will be co-defendant with Dr. B. W. Harrel on two other indictments charging mail fraud and conspiracy in con-jury drawings, a previous one having connection with a scheme to collect insurance money by falsely declaring people dead. In this number are several Negroes including M. S. Stuart.

Sessions were held Thursday morning, afternoon, and night and again Friday before final arguments were presented to the jury. Judge Martin, who at the beginning of the trial had made it known that "this court is for justice, fairness and hews to the law without regard to race, color or creed," delivered his charge to the jury but was forced

Motion Overruled

**COLORED DOCTOR
FOUND GUILTY OF
RUNNING RACKET**

Failure of Court to Pick

Settle's motion gave statistics showing that population figures according to the U. S. Census Bureau, 1930, listed Shelby county a percentage of 45.2 Negro, Fayette 71.2, Dyer 16.7, Lauderdale 39.1 and Tipton 41.8, and stated it was next to "humanly impossible" to draw a venire from those counties which comprise this federal judicial district with only the names of approximately six Negroes placed in the jury box.

On its next report the jury held the defendant guilty on all four indictments and all counts on trial." Beckett however was on trial on 8 indictments which involved four deals with a mail fraud and a conspiracy charge on each one.

Another Bombshell

As soon as Judge Martin had discharged the jury, Attorney Set-

Failure of Court to Pick Colored Jurors May Force New Trial For Dr. J. W. Becket

Memphis—(By Jasper T. Duncan for ANP)—The most sensational case to be tried in federal court of the Western District in years involving the U. S. versus Dr. J. W. Becket, Negro practitioner of this city, went to trial here Thursday.

The defense counsel intimated that he was laying the ground wires for an appeal in the event of conviction. Verdicts were rendered and Judge Martin set Monday as the date for hearing arguments as to the validity of the motion.

Laune Into Case

All four of the "dead" persons on whom insurance claims were collected were produced in court. They are: O.A.D. Hicks, Clara Moore, Sa-

die Purnell, and Clarence Dukes. **Monday** and **Wednesday** when Dr. by falsely declaring people dead. One after another they were paraded-Beckett will be co-defendant with in this number are several Negroes ed "in the flesh" before the jury. Dr. B. W. Harrell on two other in-including M. S. Stuart and S. W. Late Saturday following the fit-dictiments charging mail fraud and Qualls, prominent business man of ing of the motion by Lawyer Settieconspiracy in connection with at the race here. the court ordered that a new panel scheme to collect insurance money

Crime - 1935.

Tennessee

Memphis, Tenn., **Commercial Appeal**
November 17, 1935

CASE OF NEGRO RESTS ON VERDICT DECISION

Judge Martin Will Hear Arguments Tomorrow

DEFENSE MOTION FILED

Names of Negroes Included in
48 Names To Be Presented
for New Venire in Insurance
Trial

The immediate destiny of Dr. J. W. Beckett, negro physician, whom a federal court jury intended to convict on eight indictments charging mail fraud and conspiracy, rests on whether Judge Martin allows verdict to stand tomorrow morning or whether he rules it faultily worded.

Obviously intending to declare the doctor guilty on all counts, the jury Friday night returned this verdict: "We, the jury, find the defendant guilty on all four indictments and all counts on trial."

Asks Mistrial

Accepting the verdict, the court dismissed the jury, and with both government counsel absent from the courtroom, J. T. Settle, defense attorney, made a motion to arrest judgment and declare a mistrial.

Late yesterday afternoon, following the filing of the defense motion, the court ordered that a new panel of 48 jurors be drawn for service Monday and Wednesday, when Beckett will be a co-defendant with Dr. B. W. Harrel, negro, on two other indictments charging mail fraud and conspiracy in connection with a scheme to collect insurance money by falsely declaring insured negroes dead.

Monday morning Settle, a negro, will present a written motion for arrest of motion and mistrial. If this is overruled, he will present a motion for a new trial on the first eight indictments, charging that:

1. The whole jury panel is invalid on the grounds that it doesn't give the negro fair representation.
2. The defense objects to consolidation of the eight indictments, desiring a separate trial on each charge.
3. The defense was due 10 pre-emptory challenges to the jury on

each of the eight indictments. (The court ruled that only 10 challenges were due).

48 Names Drawn

These 48 names, including those of several negroes, were drawn from the venire box yesterday afternoon on motion of the district attorney.

Sam F. Kirk, Oce Rose, Robert Kinney, J. N. Seago, W. Gordon Morris, W. C. Thompson, J. D. Collier, Edward Phillips, Henry Waldran, S. L. Kopald, M. S. Stewart, Farley Hill, J. M. Garret, Joe H. Stewart, Hugh Wynne, Robert Bright, L. P. Jones, F. M. Grout, Ross Matthews, S. W. McConnell, W. R. Gift, J. G. Cain, J. F. Remier, J. C. Allen, John H. Durham, H. F. Wingelman, L. P. Brown, S. W. Porylock, R. M. Ellett, H. R. Merrivether, Charles Campbell, C. E. Faulk, F. M. White, J. P. Pinkston, S. W. Qualls (negro undertaker), R. D. Bobbitt, John L. Dean, M. Coyle Shea, Joseph Kusnick, C. L. Stewart, Porter Rice, W. C. Maire, R. D. Potts, J. W. Moses, R. B. Johnson, Charles Ogilvie, W. C. Wilson and C. P. Twilford.

Sitting on the jury during the two-day trial of Beckett were Cleve Read, Henry Moon, R. B. Kyle, P. A. Clayton, F. S. Souther and C. Pennington. Robert Ruffin George B. Henry, M. P. Featherstone, Burk King, W. F. Pierce and LeRoy Kerr.

If Judge Martin rules Monday that the verdict be clarified and allowed to stand as convicting Beckett on all eight counts, and then overrules Settle's motion for a new trial, the negro can be given a penitentiary sentence of 28 years. Each of the four mail fraud charges carry a maximum penalty of five years and the conspiracy charges of two years.

Thomas Curtis Yarbrough and A. C. Jones, formerly agents of the Metropolitan Insurance Company, and Amanda Smith, negro, have pleaded guilty to the same indictments lodged against Beckett. Their sentencing is being deferred until after Beckett's case is concluded.

Texas.

Crime - 1935

**SAN ANTONIO, TEX.
EXPRESS**

MAR 30 1935

The Homicide Record and
the Negro Criminal

To the Editor of San Antonio Express:
I have just finished reading the editorial in this morning's paper on "American Leadership—in Homicide". It has been my intention for several weeks to write you a letter in this connection.

While I have not seen Dr. Hoffman's joined hands this week when At-figures, if they are similar to those in to Dr. J. Q. Mason, assisted by other studies made in this same field, they no doubt reveal that the high rate of homicide in our country is due, in the main, to the large number of murders committed in the South. True enough, as was pointed out, the cause for this is not to be found in any de-pravity accompanying what is often the National Life and Accident In-called "war psychology." The true ex-surance company. Miss Washington planation is found rather in the presence of the Negro in the South in large numbers. That, this is the case is not entirely the fault of the Negro.

To answer your question, without a doubt one of the most important causes for this condition may be ascribed to the general disregard for the law that is prevalent in the South—a disregard that grows from the fact that there is a large class in the South to whom the law scarcely applies. A Negro who murders another Negro is punished very slightly, if at all. That this is the case, is well known to the criminal ele-ment among Negroes. Is a Negro's life less precious to him than a white man's life is to him? It would seem so.

Self-respecting Negroes want criminal Negroes dealt with just as is any other criminal; the safety of the whole community is involved here. When a Negro kills another Negro, there is no reason why he should not be punished in the same manner as a white man is punished when he kills another white man. Death is but death no matter by whom inflicted.

The question, in other words, is not really a racial one. When one gets down to cases, it is merely this: Shall the law be enforced, or shall it not? Surely the law is more important than any group in the community. In disregarding crime among Negroes, the community not only neglects its duty, but it also makes the law a plaything.

This, of course, is, in the final analysis, the real calamity. So long as Southern society allows Negro criminals who confine their activities to other Negroes to go unpunished, the story told by Dr. Hoffman's figures will be a tale many times told.

DAVID H. BRADFORD,
Professor of History, Samuel Huston
College.

Austin.

WOMAN FILES SUIT AGAINST WHITE AGENT

DALLAS.—Lawyers of both races

**MEXIA, TEX.
NEWS**

Negro Burglar Faces 1,000 Years in "Fee" Cases

Will the fee system stop some of the tomfoolery in the courts of Texas? Let us hope so.

A Negro burglar, convicted in Corsicana, is sentenced to terms in the penitentiary which will require 100 years to serve, piling them on other sentences he has received to bring his total to 615 years. He has confessed to other burglaries, and probably will continue to be tried until all cases

are disposed of and 1000 years or more added for the poor Negro to serve.

It would be laughable were it not for the improvement of relationships between all races. Black

Officers get a fee for each case. The

prosecuting attorneys, juries, clerks and others also get fees. Hence the racket.

which promote the tranquility of inter-racial

relationships. Indeed, Mr. Commissioners,

an intelligent community of citizens such as Waco is known

to have could do no less than to promote to the

utmost the peaceful existence together of all its

citizens be they of any race.

"I shall refer again to this Inter-Racial council movement before I conclude my remarks.

"We now come to the John Harris charges. And these charges naturally open up a review of other instances wherein brutality toward negroes, two involving deaths from gunshot wounds, has been charged to my police department.

"You commissioners are aware of the difficulty of getting to the bottom of facts when a disagreement between negroes and police, or any white

group for that matter, is concerned. The ne-

groes usually are scared to tell the true facts of

the case in explicit fashion no matter how many affidavits you have them signed.

The whites, on the other hand, are equally vehement that any

City Manager Torrence on the alleged kicking by

police of a negro, John Harris, during arrest of

a group of negroes in a poker or dice game. Har-

ris alleges he was kicked so severely as to cause

that it has been a hard matter to sift down to

exactly what happened. Add to this the fright of

the negroes when the police raided them. It was

night time. Add to this the general melee which

always results and you will have some idea of the "Before I close I want again, as city manager difficulty I have encountered in ascertaining ex-^{of} this city, to commend this Inter-Racial move-
ment. And I assure you that henceforth it will be
actly what happened.

"I have the utmost faith in the uniformed officers under my charge. At the same time I have the are under my direction cooperate in this move-
word of a number of white men of this city in-
high places as to the truth and veracity which
surrounds the reputation of this negro, John Harris

"So, Mr. Commissioners, there you are.

"I'm not prepared to tell you of my own conviction exactly what happened.

"But I want to make this illustration to you. I caught it from another city official who usually has a pretty good slant on things and it seemed to me to fit the cases at hand. He said that when a man passed him on the street and said, 'Did you know John Brown was a thief?' I didn't pay any attention. But when another man a block further down met me and said, 'Say, John's Brown's a thief,' I began to think about John Brown a little bit and wonder if he was a thief. And by the time a half dozen further down the road had told me as I passed that John Brown was a thief I began to think there might be something to the general opinion that seemed to be prevailing.

"In making my report to you as city manager I feel just about that way on these charges of brutality. As the Indians say, 'Where there's so much smoke there must be some fire.'

"And so I come before you here today to make this report by defending nobody. I wish to make the frank admission to you that with two negroes dead from gunshot wounds and serious charges lodged about brutality to another I am inclined to the belief the police department should be assembled by me and the whole matter of inter-racial tranquility and peaceful living discussed in a straightforward manner.

"There isn't any question that the prominent people of this city are quite concerned about what has happened. What they want is an end to it. I believe I can bring about that end by this conference, perhaps repeated conferences until such a time as the situation is in no danger of being brought to a head again.

"As of now I'm not in a mind to even make a severe reprimand of anybody in the department. I think what we should do now is to impress upon them the unfortunate result of such occurrences if they are true and caution the department soundly on future attitude. I am, as I know you are, sick and tired of the situation and if these conferences, suggestions and cautions do not bring an end among prominent white people of the city to repeated allegations of brutality in my department then I think drastic action ought to be taken. I do not hesitate to tell you, however, that if, after looking over the evidence I have and such as it is that you think a reprimand or discharge should follow, I shall abide your instructions and act accordingly.

Crime-1935

PETERSBURG, VA. PROGRESS INDEX

MAR 8 1935

Cruelty And Complacency

TWO COLORED convicts in a North Carolina prison camp

have been returned to the penitentiary at Raleigh crippled for life following operations resulting from "gangrenous condition of their feet brought on by the disciplinary measures 'in the camp.'" The two convicts say they were hung up in unheated quarters for hours for several days in succession and that during this time their feet froze. Apparently, proper medical attention was lacking and gangrene resulted.

Whether the story told by the convicts is true is not especially important in this case, for the reason that the physician at the camp states that the measures of discipline adopted were directly responsible for the gangrene and the putrefactions.

It is officially announced by J. B. Roach, head of the State penal division of the highway and public works commission, that he sees no reason to take action against the camp officials who had charge of the two men when the State of North Carolina crippled them for life. We agree with the *Raleigh News & Observer* that this attitude of Roach is more serious than the acts of subordinates who crippled the men. *The News & Observer* says:

Those two Negroes, crippled in the custody of North Carolina, are symptoms of a cruelty which cannot be regarded with complacency in an enlightened State. Surely there could be no greater hypocrisy than that which outlaws the lash and yet permits petty officials to indulge in more horrid cruelties. For the sake of decency as well as humanity, this hypocrisy that cripples must be ended in North Carolina.

The press of North Carolina should follow the lead of *The News & Observer* and demand that this incident be thoroughly investigated. It is a remarkable fact that the most careful supervision always is necessary as a corollary of entrusting prison authorities with power to inflict punishment as a means of enforcing discipline.

Richmond, Va., Times-Dispatch
April 17, 1935

Arresting Negroes Wholesale

JUDGE FREDERICK W. COLEMAN'S action in calling two Negroes for the Spotsylvania Grand Jury which yesterday indicted JOHN SHELL and JOE JACKSON for murder, was as conspicuously fair as the recent action of Richmond police in arresting 103 Negroes in a group, was unfair. It will be recalled that JUDGE COLEMAN fined a Hanover County farmer \$10 for contempt a year or two ago because he refused to sit on a Grand Jury with a Negro, so his action in giving the colored race representation on the Spotsylvania Grand Jury came as no surprise.

The raid conducted by Richmond police on a beer garden at Seventeenth and Grace Streets a few days ago was the sort of thing which we had hoped never to see again in Richmond. It reminded us of the episode which occurred here some years since, when hundreds of Negroes were arrested at the city dock on disorderly conduct charges, as they walked off of an excursion boat.

In both instances, somebody reaped a rich reward in bail fees. Every Negro arrested had to put up \$1 or spend the night in jail. It doesn't require knowledge of the higher mathematics to ascertain that when several hundred Negroes are bailed at \$1 each it makes a pretty nifty swag for the magistrate. And when 103 Negroes were arrested the other day, that wasn't a bad haul, either. Of course, a good many spent the night in jail, rather than pay the fee, but that does not make the performance of the police any more excusable.

On the contrary, it was inexcusable, no matter from what angle it is viewed. The reason is that the police would never have arrested all 103 of the white customers in a beer garden on a charge of disorderly conduct. They took advantage of the fact that the customers of this particular establishment were Negroes. DIRECTOR OF PUBLIC SAFETY CUTCHINS is not responsible for this episode. He was out of the city at the time. But we trust he will see that there is no repetition of this performance in the future.

QUESTION OF OFFICER'S RIGHT TO USE GUN EXPECTED TO BE RAISED IN POLICE COURT

The much-discussed question of the circumstances under which a police officer has the right to use his gun was expected to be raised following an inquest into the death Tuesday afternoon. The verdict was rendered after six witnesses, including the accused officer himself, had testified.

again in Police Court on Thursday of this week. - 35

Patrolman D. W. Midgette was scheduled to answer a technical charge of homicide growing out of the death in a local hospital Friday night of Ernest Kornegay, 30, of Falkland St., who was fatally shot by the officer Thursday night.

Officer Midgette was told by the coroner that he did not have to testify unless he so desired, in as much as anything he might say could be used against him. He chose to take the stand and was complimented by Assistant Commonwealth's Attorney James E. Heath, for doing so.

At the same time Joe Williams of the 900 block of Wide St., was to face charges of window-breaking, resisting arrest, and assaulting an officer, growing out of an incident early Sunday morning of last week in the 1000 block of Calvert St., in which Williams was seriously wounded, according to Captain J. P. Maden, when he

He told the coroner that he fired once in the air in trying to stop Kornegay, but the shot only served to make the fleeing man drop a bag of smoked meat he was carrying. He did not know his second shot had taken effect, the policeman testified, until he came upon Officer Fisher standing by Kornegay who was lying in the street badly wounded, some distance from where the shot was fired.

Patrolman J. B. Murden, when he "where the shot was fired.
sought to disarm the officer." Patrolman Midgette estimated
his distance from Kornegay when
he fired the second shot at about
35 yards. Asked by the coroner if
there was no other way to stop the
fugitive other than by shooting
him, he replied that there was not
because he was "getting away from
me faster all the time."

In the struggle for possession of the weapon it was fired twice, the first bullet whistling off into space, and the second finding a mark in who was the first to identify Kornegay after the breakin, testified that he told Officer Midgette that he recognized Kornegay twice and was positive in his identification.

Williams stomach. Other witnesses, in addition to
No charges have been filed Officer Fisher, were Patrolman P.
against Officer Murden. E. Sawyer, James Foskey and his
In the case of Kornegay, the tech-wife, Mrs. Foskey. Dr. Macdonald
ical charge of homicide against held that Ernest Kornegay" died
Officer Midgette was continued by at St. Vincent's Hospital on April
Police Justice R. B. Spindle, Jr., 26 at 11:07 p. m. of shock follow-
when called Saturday. ing a hemorrhage of the abdomen

Korngi, according to the officer, as the result of a pistol shot was shot by him while running away from the warehouse of the Southern Packing Corporation on Newcastle St., after allegedly stealing a bag of meat from the premises. The bag was said to have been found not far from the spot near the foot of Bermuda St., where Korngi finally collapsed and died after running several blocks from the warehouse. Funeral services for Kornegay were held Tuesday afternoon at Hale's Chapel with the Rev. R. K. D. Garrett, pastor of Garrett's Community Church, officiating. The youth was a native of Richmond but had lived in Norfolk for the past four years. He is survived by his mother, Mrs. Nellie A.

Officer Midgette was held to Kornegay; father, William Kornehave killed Kornegay "in line of duty," in a verdict returned by Dr. C. D. J. Macdonald, city coroner.

OUR POLICE JUSTICE

When Eben C. Fowlkes was elected Police Justice of Richmond, the RICHMOND PLANET ventured the following editorial opinion on the qualifications of the new police justice:

9-35
"The election of John H. Ingram to the office of police justice of Richmond marked a new era in the history of the court which is for the most part the tribunal of forgotten men and women.

"The comedy, epithets, and cruel bantering indulged in at the expense of the poor social path wanderer, who stood at the bar of the court, passed out with the old era and a quiet dignity was installed in its stead.

Richmond
"When Justice Ingram was elevated to the bench of the Hustings Court and Justice Haddon succeeded him in the police court, the Ingram decorum was observed. Under these two administrations, comedy and bantering crept in, only when the regular justice was not sitting.

"The selection of Eben C. Fowlkes to sit in the seat occupied with dignity and honor by Ingram and Haddon insures a continuation of this orderly procedure.

"With Justice Fowlkes on the bench of the police court, the same high standard will be maintained in the administration of justice as that which obtained under the two former justices. Like unto his predecessors, his ruling might at times be off, but the error will be of the head and not of the heart."

We should dislike to have to announce a change of opinion regarding Justice Fowlkes, but recent events, his apparent impatience and bias in trying traffic cases and his condoning of the frequent use of the term "Nigger" by police officers and others in his presence without rebuke to the offending person create a serious doubt whether or not the editor printed above did not express a premature conclusion.

Richmond, Va. News-Leader
December 30, 1935

Negro Homicide Curb Suggested

Editorial Wants Special Police Aides to Combat Crime Wave.

Appointment of Negro plain clothes men and a Negro investigator attached to the office of the commonwealth's attorney is suggested editorially by The Richmond Planet, local weekly Negro newspaper, as a means of assisting materially in the solution of the problem.

The editorial, published in the Dec. 28 issue, also advocates sterner punishment for those who are found guilty of homicide and felonies.

The editorial follows:

"November witnessed a sensational rise in the homicide records among Negroes. Five murder cases were tried in the hustings court of this city during last week. All of the principals were Negroes. Two of the defendants were acquitted, one received fifteen years in the penitentiary, another five years in the City Jail. In addition to these cases, several involving felonious woundings were disposed of.

"It is difficult to accurately fix the responsibility for this disregard of human life and for this heedless slaughter which is a disgrace to the city. Some maintain that the punishment meted out to killers of Negroes is too light to serve as a crime deterrent. In our opinion, there is much merit in this contention.

"On the other hand the promiscuous sale of liquor and the growing habit of carrying concealed weapons undoubtedly contributed to this disgraceful situation which law enforcement officials seem unable to cope with.

"Without claiming to have discovered a remedy, the Richmond Planet believes that Negro plain clothes men and a Negro investigator attached to the office of the Commonwealth Attorney would assist materially in effecting a solution to the problem.

"Negro civic agencies should cooperate with law officers in giving the necessary evidence to send some of these killers to the electric chair and make it impossible for them to escape with ridiculously light sentences for such grave offenses.

chair and make it impossible for them to escape with ridiculously light sentences for such grave offenses.

"The carrying of concealed weapons, without a permit, should be made a felony punishable by a long term in the penitentiary and the police should lose no time in cleaning up the breeding places of crime and criminals.

"With the general co-operation and the assistance of law-abiding citizens and the assurance of swift and stern punishment, these man killers will stop prowling around with deadly weapons and boasting that "a little stretch" is all to be expected for killing a Negro."

A DISGRACE

November witnessed a sensational rise in the homicide record among Negroes. Five murder cases were tried in the Hustings Court of this City during last week. All of the principals were Negroes. Two of the defendants were acquitted, one received fifteen years in the penitentiary,

another five years in the penitentiary and another twelve months in the City Jail. In addition to these cases, several involving felonious woundings were disposed of.

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Negro civic agencies should cooperate with law officers in giving the necessary evidence to send some of these killers to the electric chair and make it impossible for them to escape with ridiculously light sentences for such grave offenses.

The carrying of concealed weapons, without a permit, should be made a felony punishable by a long term in the penitentiary and the police should lose no time in cleaning up the breeding places of crime and criminals.

With the general cooperation and the assistance of law-abiding citizens and the assurance of swift and stern punishment, these man killers will stop prowling around with deadly weapons and boasting that "a little stretch" is all to be expected for killing a Negro.

Negro civic agencies should cooperate with law officers in giving the necessary evidence to send some of these killers to the electric chair and make it impossible for them to escape with ridiculously light sentences for such grave offenses.

Crime - 1935

Virginia.

Destructive Lawlessness

IF THE lawless element continues to run amuck and Nero fiddling." But that is not all. The seriousness of this situation is aggravated by the fact that homes, arms and lovers' lanes are dotted with dead, too often slain at the hands of Negro bandits. Included in this series are some of the foulest crimes in the history of Virginia. Such are the cold facts, yet no Negro church or civic organization, no Negro school of race relations offers to the juries.

A motorist who leaves his automobile parked along a street for just a few minutes has an even chance of returning to find his door handles wrenched or broken off by some malicious person, or his windows broken or radiator cap stolen. If he walks down the street at night he is likely to be robbed of anything he has on him from thirty cents up. But more important than this, his life is imperiled if he tries to prevent it. — 26-35

any protest or suggestion as to how to terminate or even curb these increasing crimes. Are Negro leaders in Director Cutchins would comment for publication on the Planet's suggestion capable of constructive thinking? Has no Negro leader the intelligence to that Negro plainclothesmen and a speak? Shall the Negro race be dominated by its more criminal and less office of the Commonwealth's Attorney would assist materially in curbing the civilized elements? Furthermore, it is not only the obligation of leadership to think what that paper termed the "sensational rise" in homicides.

The two major contributing causes are inadequate street lighting and relaxed police protection. As to the latter, no reflection whatsoever upon the police department is intended. The police are doing their best to cope with the situation, but their force is inadequate.

Economy effected by curtailing of law enforcement agencies below the necessary minimum required to protect the persons and property of a community is the most costly economy. Providing convenient hiding places for robbers awaiting their prey by trimming the city's electric bill is in itself an aggravated wrong.

We believe that we voice the sentiments of most taxpayers when we say that economies of that kind are neither healthy nor desired in Norfolk. Right-thinking people—and most of our taxpayers are—will gladly pay for the cost of crime control.

Richmond, Va., Times-Dispatch

November 26, 1935

On Negro Banditry

To the Editor of The Times-Dispatch

Sir.—By reason of the long list of homicides and other major atrocities crime has almost become the center of public interest in Richmond today.

Richmond should be thankful to its Commonwealth's Attorney, Judge T. Gray Haddon, for the emphasis he has placed on the prosecution and punishment of gangsters, bandits and murderers.

While he is stressing the large number of homicides, especially among Negroes, and pleading with juries for severe penalties to deter killings of each other by Negroes who hold human life cheap, leading Negro ministers instead of indorsing his efforts and holding up his hands, are holding anniversaries glorifying each other, exaggerating their abilities, activities

and importance. Thus exemplifying Public Safety is unable to cope with the grim tragedy of "Rome burning" in Richmond's Negro district, as stated editorially in the Planet, local Negro newspaper, was made yesterday by Police Chief Jordan, who pointed to the November record to substantiate his statement.

"Police made arrests in five out of six murder cases last month," Major Jordan said. "They presented evidence in Hustings Court, so the rest was up to the juries."

Silent on Negro Detectives

Neither Chief Jordan nor Safety Director Cutchins would comment for publication on the Planet's suggestion that Negro plainclothesmen and a Negro investigator attached to the office of the Commonwealth's Attorney would assist materially in curbing the civilized elements. Furthermore, it is not only the obligation of leadership to think what that paper termed the "sensational rise" in homicides.

Leadership be confronted with a more

"November witnessed a sensational rise in the homicide record among Negroes. Five murder cases were tried in Hustings Court of this city during

last week . . ."

That white bandits commit cold-blooded and atrocious crimes on a larger scale than were ever committed by Negro bandits is true. But white responsibility for this disregard of human life and for this heedless slaughter to the death. On the other hand, which is a disgrace to the city, misguided colored people frequently mislead, make heroes and martyrs of Negro murderers. For example, it will light to serve as a crime deterrent. In meeting was held in Richmond, speeches were made, and money solicited to defend self-confessed Negro

"On the other hand the promiscuous sale of liquor and the growing habit of carrying concealed weapons undoubtedly contributed to this disgraceful situation which law enforcement officials seem unable to cope with.

No man can give a sound reason for aiding criminals to escape unwhipped. Undoubtedly contributed to this disgraceful situation which law enforcement officials seem unable to cope with.

for the punishment of crime, could not "Without claiming to have discovered a remedy, the Richmond Planet provides for the prevention of crime in its own group?"

THEODORE W. JONES,
Richmond.

Times-Dispatch
1935

"Without claiming to have discovered a remedy, the Richmond Planet believes that Negro plainclothesmen and a Negro investigator attached to the office of the commonwealth attorney would assist materially in effecting a solution to the problem . . ."

Jordan Denies Crime Charges Of Negro Paper

City Able to Cope With Crime, Is Answer to Editorial

A denial that the Department of

Crime - 1935

Wisconsin.

Negroes Of Milwaukee Hold Mass Meeting To Protest Brutality Of Members Of City Police Dept

MILWAUKEE, Wis.—Aroused by a series of injustices and brutalities said to have been perpetrated recently by members of the city police force, almost the entire colored population of Milwaukee turned out at a mass meeting at the St. Marks A. M. E. Church, Rev. R. E. Wilson, pastor, last Tuesday to register a vociferous protest further interruption. The assault upon Johnson is clared were forced upon the col- tices be stopped. Citizens from said to have occurred while he was walking along at Sixth and been considered one of the all walks of life were in the huge crowd that thronged the spacious Galena streets. According to him, he was accosted by two plain- edifice to hear a number of the prominent speakers who addressed clothesmen who proceeded to search him thoroughly even going through his pocketbook. Johnson was struck him in the jaw, ordering him at the same time to "shut his damn black file petitions of protests and pare complaints against instances of police brutality. Copies of the record of the evening's proceedings were sent to the local Chief of Police, the Fire and Police Commissioners and the Mayor's office. Among those who spoke at the meeting were Dr. C. F. Turner, Dr. P. J. Gilmer, Dr. E. Thomas, and Atty. J. W. Dorsey. Another incident was related by Kinner, president of the Sixth Ward Law and Order League, of instances of unwarranted brutality were cited by those who had witnessed them.

Disturbance Narrowly Averted
A possibly violent outburst threatened the meeting momentarily when Robert Johnson, victim of one of the most brutal assaults, during his recounting of the incident, suddenly looked toward the back of the church and cried: "I see that same officer that struck me." The audience immediately rose to their feet in an effort to get a view of the accused man and it was feared that in the resulting few moments confusion, the temper of the crowd might provoke a disturbance. Order was immediately restored, however, and the meeting was continued with-

booth he found that a crowd of citizens had surrounded the man and forced him to display his badge, pistol and other credentials.

A local minister recounted looking out of his window and seeing an officer call a colored man walking on the opposite side of the street. When the latter approached, said the minister, the officer immediately demanded to know what he did for a living. Numerous other similar instances were cited.

Whites Support Campaign
A number of white persons were also present at the meeting, including several city officials. Among them was George Herman, County Supervisor who emphatically denounced the brutal practices and injustices which he de- tested and demand that such practices be stopped. Citizens from all walks of life were in the huge crowd that thronged the spacious Galena streets. According to him, he was accosted by two plain-clothesmen who proceeded to search him thoroughly even going through his pocketbook. Johnson was struck him in the jaw, ordering him at the same time to "shut his damn black file petitions of protests and pare complaints against instances of police brutality. Copies of the record of the evening's proceedings were sent to the local Chief of Police, the Fire and Police Commissioners and the Mayor's office.

More Instances Cited
Dr. Edgar Thomas who declared that on the same evening he was standing in front of the Community Drug Store at about 11 o'clock when he saw across the street a white man going through the pockets of a colored man. The white man, said Dr. Thomas, had his hat off and appeared to be drunk and when the doctor approached him and demanded to know by what right he was conducting his search replied that it was none of the doctor's business.

Upon the man's refusal to show his authority, Dr. Thomas said he entered the drug store and telephoned the West Side police station reporting that a strange white man was walking the streets and promiscuously searching colored people. Dr. Thomas said that he expressed the belief to the police sergeant that the man was drunk but when he emerged from the

The protest, it was definitely made clear at the meeting, is not against the police Department of the city which has long been reputed to be one of the most efficient in the country, but only against certain members of the force, described as a roughneck element which has recently succeeded in gaining admission to the department.

Committee Appointed

Daily papers of the city, in their reports of the mass meeting, treated it as an attempt on the part of the Negroes to defend the policy racket and uphold crimes against the zeal and efforts of the local police but this stand has been since denounced by many prominent individuals who describe the state of affairs as "intolerable" and insist that something must be done to remedy it.

Dr. Edgar Thomas was appointed chairman of the committee of nine designed to make representations to the authorities. Others elected to the group were Rev. R. E. Wilson, Dr. C. F. Turney, Dr. P. J. Gilmer, A. D. Wilburn, Rev. H. Scurry, E. Bland, Mrs. M. West and Attorney Coleman.